

COUNCIL CHAMBER

Regular Meeting

August 15, 2017

The thirty-seventh meeting of the City Council of Charleston was held this date convening at 5:07 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media August 9, 2017 and appeared in The Post and Courier August 13, 2017 and are made available on the City's website.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:07 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "If you would like, I ask that you all join us as Councilmember Waring will lead us with a prayer and the Pledge of Allegiance."

Councilmember Waring said, "Thank you, Mr. Mayor. Let us put ourselves in the presence of the Lord. Let us pray."

Councilmember Waring opened the meeting with an invocation.

Councilmember Waring then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "Alright. An announcement or two to start with, our power is off. We're operating on generator power right now. Apparently the whole block was knocked out about an hour ago. SCE&G is estimating they will have power back on in about an hour and a half. So, we have the generator on. Unfortunately, the elevator does not work when the main power is off so, if you need assistance before the power comes back on, let someone know, and we've got plenty of strong arms here who could help you get out. Now, there are two exits here in the main room and the one over there to the right. Obviously, we wouldn't be using the

elevator in the event we needed to evacuate. Use those exits and the two stairs down to the first floor, and then the one stairway to the outside, if there were an emergency. I want to ask everyone to also turn your phones and ringers off, if you have those, and please respect the decorum of our Council as we conduct business this evening. So, first are Mary Graham and Ian Scott, here from the Chamber of Commerce. Here they are, I would like to call them forward. Mary Graham is the Chief Advancement Officer, and Ian Scott is the Senior Vice-President of Advocacy for our Charleston Metro Chamber of Commerce. They're going to speak with us for a few minutes about the Charleston designation as one of the Eight Great American Defense Communities by the Association of Defense Communities, Mary Graham."

Ms. Graham said, "Thank you, Mr. Mayor. It's good to see you, Councilmembers, thank you for having us tonight. As you all know, Joint Base Charleston is a huge part of the region's economy. Today, we have about 22,000 people that are employed at Joint Base Charleston. We recently updated the economic impact of that facility, and it's over \$11 billion annually in our community. So, it's no small engine that we have. One of the roles of the Chamber is to work every day to ensure that our Joint Base stays as it is and continues to grow and expand. We do that by working with you as a community, our three counties, and all of the municipalities in our region. This past year we applied for an award from the Association of Defense Communities. It's a national association that is pretty much just what it sounds like, an Association of Defense Communities. We are a member of that organization, and we were awarded, as one of eight communities in the country, the designation of a Great American Defense Community. They had their national meeting in Washington in June and, unfortunately, the Mayor's schedule did not allow him to be with us when we received that award. So, tonight, Ian and I are here to present to you your own Great American Defense Communities flag that we hope the City will display very proudly. It's a great achievement, and you work very hard to support our base, and we thank you for all that you do."

There was applause in the Chamber.

Mayor Tecklenburg said, "If I may add to that, Ian and Mary, before you all go, I was really honored to be nominated by the Base Commander of Joint Base Charleston to be a part of the Department of Defense Conference. It's like a tour, and it was just last week and it was amazing. We started Monday morning at the Pentagon with an hour and a half of really in-depth discussion with Secretary of Defense Mattis. He is a remarkable man and very wise, and I feel very good about his leadership. Then, we went, one day each, to the five Services. We went to the Marine Base in Quantico, the Coast Guard in Boston, the Sub Base at the Navy in Connecticut, Fort Hood up in New York for the Army, and I did the rappel down a 40-foot tower and obstacle course. Every day we spent time with our amazing servicemen and women who serve the defense of this country and protect our freedom. I had a great appreciation for our servicemen and women prior to this trip, but this past week's experience was just amazing. I want to ask everyone in this room who has served in the Armed Forces to please stand up and be recognized and let us thank you, right here, tonight. Please stand up."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thank you very much. So, next, we would also like to honor, tonight, some defenders of our public safety. They are members of our Fire Department. I could call out names, but I'm not sure who was able to come. So, if you're a member of our Fire Department, please come forward. I think we have with us tonight: Assistant Chief Raymond Lloyd, Battalion Chief William Perez, Battalion Chief Michael Hanuscin, Captain Kevin Carter, Captain Patrick Hinson, Captain Justin Williams, Engineer Paul Tumminia, Assistant Engineer,

Sean Nolan, Assistant Engineer Craig Willen, Firefighter Anthony DeSantis, Firefighter Jacob Hegeman, Firefighter Conner Mahan, Interim Chief Tippet, and I don't know if I left anyone out. I would like to ask Councilmember Mike Seekings to join us up here, as well. So, in the late afternoon of Friday, July 14th these gentlemen received a call regarding a fire that had broken out near the corner of Smith and Wentworth Streets in the Harleston Village neighborhood downtown. It just so happened that that house was right next to Councilmember Seekings' home. They arrived on the scene about 3:20 p.m. and fought the fire late into the evening, tending to its residents, I believe, saving the life of one resident and transporting some of the residents and some of our own firefighters to the hospital for heat-related injuries. This two-alarm fire ravaged the wooden structure. I came down there, and it was amazing work that our folks were able to contain this fire, from this one address, to prevent it from spreading throughout the neighborhood. It demanded a level of attention, diligence, and courage that we hope we never use, but we often find that we have to when these fires occur. The Charleston Fire Department is home to some of the bravest men and women in public safety, and our community is forever grateful to them in the service and protection that they offer. Each day they are on-call for us, each and every day, willing to put their lives at risk at a moment's notice to protect members of our community, putting themselves in harm's way to ensure that we are not. Tackling this fire was no easy feat. It was accomplished fearlessly by those here tonight and more who were not able to join us. By the way, we also had our Mutual Aid partners, as we have agreements with nearby fire departments. So, the St. Andrews Fire Department, the North Charleston Fire Department, James Island, and St. Johns all responded to the fire as well as Mt. Pleasant, the County Emergency Medical Service, Charleston County Volunteer Rescue Squad, and the Charleston Police Department, and it was really a team effort. I want to thank all of you for what you did that afternoon and evening and what you do each and every day for the citizens of Charleston. We are proud to call you our own."

There was applause in the Chamber.

Mayor Tecklenburg said, "Councilmember Seekings, do you want to add a word?"

Councilmember Seekings said, "If I can just briefly, Mr. Mayor, ladies and gentlemen, and most importantly the heroes standing behind me, Chief Tippet. You never know what's going to happen on a Friday afternoon at 3:30 p.m. I got a phone call saying, 'you might want to come home now', and when I got home, I got some pictures, but the Wi-Fi was not cooperating. There was a major fire burning in the middle of one of the most densely populated portions of downtown Charleston on Smith Street, and it was really something to behold. At 3:00 in the afternoon, most of these guys were over on Cannon Street fighting a fire. They came to Smith Street and an old historic building, 1840 building, that is on a piece of property that has six structures surrounded by an entire community. You can see why many a year ago entire communities burnt down when something like this happened. It is dramatic. I can just say this, that I wouldn't be standing here today with you all, I would still be in the ashes, if it wasn't for those behind us. My neighbor, whose house it was, survived. They contained the fire to one of six structures on the property. They stopped the fire from spreading in downtown Charleston, and you've never seen a group work harder on a hot, windy afternoon when a 1840s wood structure went up in downtown Charleston. I just want to let everyone know in this community that you have the best public safety team out there, and I got to witness it from 3:00 in the afternoon until, what was it, Chief? You all pulled out about 3:00 in the morning. They stopped around 3:00 in the morning, and they worked and never stopped from 3:00 in the afternoon until 3:00 in the morning, and that fire raged the entire time. So, thank you all so much, I haven't had a chance to see all of you since that day. It's hard to believe it was a month ago. I cannot tell

you how proud I am to be a part of this community and these guys. So, thank you, Mayor. Thank you, everyone."

There was applause in the Chamber.

Mayor Tecklenburg said, "So, next, could I ask how many folks are here for the public hearing matter involving the James Island moratorium? We have a pretty good show of hands here and I was just hoping, we're a little crowded, and the air conditioning isn't quite up to speed. So, with the pleasure of Council, could we agree to move Item E-11 to the top of the list?"

Councilmember Seekings said, "So moved."

Councilmember Wilson said, "Second."

On a motion of Councilmember Seekings, seconded by Councilmember Wilson, City Council voted unanimously to take Item E-11 first.

Mayor Tecklenburg continued, "Also, if I may ask you to amend the agenda to allow me to introduce this Resolution regarding the incident up in Charlottesville?"

Councilmember Waring said, "Move for approval."

Councilmember Gregorie said, "Second."

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, City Council voted unanimously to amend the agenda to allow Mayor Tecklenburg to introduce a Resolution regarding the tragedy in Charlottesville, Virginia.

Mayor Tecklenburg said, "So, I have a Resolution that I would like for Council to consider and approve, and this is consistent with the prayer that Councilmember Waring just gave us moments ago regarding the tragedy that has occurred in Charlottesville, Virginia, this past weekend. So, if I may read this Resolution."

Mayor Tecklenburg read the Resolution:

"WHEREAS, we hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; and

WHEREAS, here in the United States, the words "We the People" are spoken not in the hushed whispers of a select few, but in the united voice of every American from every background and every walk of life, regardless of status or station; and

WHEREAS, racism is an affront to the ideals of our nation and the conscience of our citizens; and

WHEREAS, Charleston is a community with a spirit of inclusion where we celebrate and honor our diversity; and

WHEREAS, the same freedom of speech that allows even the most offensive views to be expressed also protects our right to condemn those views in the clearest and plainest language possible all while done peacefully; and

WHEREAS, the Ku Klux Klan, Neo-Nazis, White Supremacists, and other hate groups do not represent the opinions and values of the people of Charleston; and

WHEREAS, on Saturday, August 12, 2017, the people of Charlottesville, Virginia endured an act of racist violence causing harm to many and claiming the life of at least three; and

WHEREAS, the messages fueling the violence in Charlottesville were ones of anger, hatred, and bigotry that stand in contrast with the values that founded this nation and hold no place in society; and

WHEREAS, Charlottesville Mayor Michael Signer has forcefully condemned this act of violence, the city of Charleston reinforces his message that the hateful actions of some cannot, and will not, unravel the American spirit, nor will they divide us; and

WHEREAS, in the aftermath of this hateful display, the people of Charleston stand shoulder to shoulder with those in Charlottesville and across the country, united against those who seek to divide us.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Councilmembers of Charleston, in City Council assembled, on behalf of ourselves and all our citizens, do hereby reject the message of all hate groups; renounce racism, white supremacy, anti-Semitism, the KKK, neo-Nazis, domestic terrorism and hatred; declare that those who want to spread hatred, bigotry and violence have no place in the City of Charleston; and commit to ensuring that Charleston remains a place of love and grace, where hate is not, and will never be, welcome."

Mayor Tecklenburg said, "Do I hear a motion?"

Councilmember Williams said, "Move for approval."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "I'm going to allow everybody to vote on this, in addition to Council."

On a motion of Councilmember Williams, seconded by Councilmember Shahid, City Council voted unanimously to approve the Resolution regarding the tragedy that has occurred in Charlottesville, Virginia.

Mayor Tecklenburg said, "Thank you very much. So, next, we will have our public hearings, and first we are going to take up Item E-11, regarding the James Island moratorium. Mr. Morgan, will you be making a presentation, or Mr. Lindsey?"

-- INSERT PUBLIC HEARING NOTICE --

-- INSERT PLANNING COMMISSION REPORT --

Mr. Lindsey said, "Mr. Mayor, I'll go ahead and start while our screen comes up. Thank you, Mayor, and members of Council. As you know, on May 9th, you passed a first reading for a moratorium on commercial properties on James Island. This has been in effect for a little over three months now. It places a moratorium on the acceptance of any requests related to development of residential properties over four dwellings or commercial properties over 1,500 square feet. In the meantime, staff and the City have met with staff of the City of Folly Beach, the Town of James Island, the County of Charleston, and have proceeded to work on draft language to fulfill the intent of your moratorium, which is to, first of all, reduce densities on commercial properties, to limit height on commercial properties, make development more sensitive to the context of James Island, to respond to James Island, and to ultimately adopt the provisions which are included in the County's Folly Road Corridor Overlay. We are working on that. Our intent, from a staff standpoint, is to honor the intent of your moratorium and to deliver those changes to you prior to the expiration of this moratorium. The last thing I will say is that we are functioning in the City under this moratorium, under the pending ordinance provisions. So, we honor that moratorium and are currently under it. Thank you, Mayor."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Mayor, just as a point of order here, before we open it up for public discussion, I would like to amend this ordinance so that the public would have an opportunity to comment on my amendment if it passes, rather than to wait until afterwards. I don't know what the procedure would be. The only thing that I would change is that last sentence there where it says 'exceeds four units', to raise that to 25,000 square feet. So, what we have heard is that there are several businesses, like restaurants and the like, that have nothing to do with apartments, but yet they want to build these things. I think the people, from what I hear, on James Island, would like to add those items, but this ordinance prevents those from happening. So, I would like to amend this to 25,000 square feet and then let the public comment on that and then we can vote on it."

Councilmember Waring said, "I second that."

Mayor Tecklenburg said, "Can we make clear, just that that it's non-residential use?"

Councilmember Moody said, "Right."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "I just think, as a point of order, now that that's been described, I think we should take a public comment on it and then bring it to the floor for a motion and amendment, if that's appropriate. I think that's the way to do it."

Mayor Tecklenburg said, "Okay, that sounds appropriate. So, if anyone would like to comment on this matter, including the fact that an amendment will be made such that the limit

would still be four units of residential, but in all of the area, I believe, that is on Folly Road are commercial districts, right Mr. Lindsey? All of the properties in question are in the commercial corridor?"

Mr. Lindsey said, "That's correct."

Mayor Tecklenburg said, "Yes. So, the amendment will be that commercial structures, non-residential, up to 25,000 square feet, would be allowed. Who would like to be heard on this matter? Please come forward to the microphone, and state your name and address. We welcome the Mayor of the Town of James Island, Mayor Bill Woolsey. Thank you for being with us."

1. Mayor Bill Woolsey, from the Town of James Island, urged everyone to support the moratorium that was agreed to and he thought the amendment that Councilmember Moody had proposed seemed quite reasonable. He stated the Town did not adopt 1,500 square feet but created an exception for commercial development consistent with the Folly Road Overlay. He also stated that all of the reports he got from the City's Planning staff about the work that was done with the City of Folly Beach, Charleston County, and the City's Planning staff was very positive and that they're working toward an agreement on a Folly Road Overlay that would work for all.

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

2. Carol Jackson said she lived at 1461 Patterson Avenue in the City on James Island. She encouraged Council to find the supermajority to approve this moratorium. She is in agreement with the commercial-only number of square feet being raised. She recommended an article in the Post and Courier that was well-stated on why this moratorium is needed and why it's the beginning of a great process that she thinks will bring the Island together in ways that they haven't had an opportunity to work since the Re-think Folly Road Plan. She also thought the ordinance was eloquently written and hoped that Council was studying the ordinance before they voted today.

Mayor Tecklenburg said, "Thank you. We also have with us County Councilmember Joe Qualey. Councilmember."

3. County Councilmember Joe Qualey thanked Council for what they were doing with the moratorium and said he thought it was necessary and appropriate. He said the Planning staffs were working together and he urged Council to continue the moratorium. He also thanked Mayor Tecklenburg for the Proclamation, as his son would be attending the University of Virginia.

Mayor Tecklenburg said, "Thank you, Councilmember Qualey."

4. Stewart Weinberg, of Howard Mary Drive in the City of Charleston, asked Council to support the moratorium. He said recently they had Re-think Folly Road, and less than a month ago City staff gave a report on the sea level rise and implications for the future. He stated it was going to take a lot of guts to have Charleston be preserved for them and their children. He thanked Council and said the moratorium was part of that beginning.

Mayor Tecklenburg said, "Thank you. Yes, sir."

5. Jason Crowley said he was the Director of Communities and Transportation for the Coastal Conservation League and thanked the Mayor for his vision in the suburban communities, as well as the attention that the Mayor, staff, and Council have given in their tenure, particularly with the success happening in West Ashley. He thought that same attention needed to be paid to James Island and Johns Island and he hoped, as the moratorium moved forward, and ultimately came to a sunset period, that the result would be the implementation and execution of a Comprehensive Plan adjustment in West Ashley, James Island and eventually Johns Island as well, looking not just at zoning but infrastructure, drainage, and transportation holistically.

Mayor Tecklenburg said, "Thank you, sir. Yes, sir."

6. Darren Mullinax, of 1153 Cottage Road on James Island, said he was also a member of the James Island Town Council, and thanked Council for having them express their opinion on this issue of the moratorium. He said he supported the continuation of the moratorium and felt as much time as needed was necessary for additional traffic and drainage impact studies. He said this process couldn't be cut short and that it needed to be continued, as so many people were affected by this.

Mayor Tecklenburg said, "Thank you, sir. Yes, ma'am."

7. Nicole Kernodle said she was a citizen of James Island, born and raised, and this all started with this thing she created online and got people to vote for and then presented to Council when the meeting was held on James Island. There was a big outcry for help to save their Island and protect it and she appreciated everyone's time, effort, and coming together with the County, the City, and the Town of James Island. She said it was wonderful to see everybody come together and work together to improve and preserve James Island.

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

8. Margaret Fabri said she supported the moratorium as proposed, which limited the properties on James Island that exceed four units or 1,500 square feet, and she asked that the moratorium be approved as proposed. She said to go to 25,000 square feet, as proposed by Councilmember Moody, was way beyond what anybody envisioned, as that was a big box store. She stated, about four years ago several people including the City, the County, the Town of James Island, and Folly Beach worked on the Folly Road Overlay District and she still believed that was a starting point and there was no reason to reinvent the wheel.

Mayor Tecklenburg said, "Thank you, ma'am. Yes, ma'am."

9. Erika Harrison said she represented several people who lived on James Island or owned property on James Island, namely the Wilson family, who annexed a two-acre site into the City and presented a proposal for a recreational facility to the City and worked in tandem with the Planning Department. The program was

halted due to the moratorium which created a huge burden upon them. She said this was a great opportunity to work in tandem with regard to drainage, traffic, transportation, and those things happen during comprehensive planning, but to stop those type of programs for small businesses, like that of the Wilson family, is not the way the City operated.,

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

10. George Tempel said he lived in the City in Bayfront on James Island and he supported the moratorium and was encouraged by the interaction between the various governmental bodies. He said this moratorium was needed so that they could work together, which was equally as important as the moratorium to get infrastructure needed as development will and does occur on James Island. He noted an e-mail from Susan Milliken that outlined some of the areas that needed improvement, ranging from Central Park Road and River Road at the intersection, and said there were several other issues that needed to be addressed.

Mayor Tecklenburg said, "Yes, sir. Thank you. Yes, ma'am."

11. Eileen Dougherty said she lived at 1650 Bryce Road on James Island and she supported the moratorium, and that it was not just a quality of life issue but also an economic issue. She stated people came to the area because they wanted to enjoy nice things, such as restaurants, and not deal with traffic. She thought this was a really good start and appreciated Council considering it.

Mayor Tecklenburg said, "Thank you. Yes, sir."

12. Matt Ruby said he lived at 1650 Bryce Road on James Island and he supported the moratorium and urged Council to vote for it. He said it was too much, too fast on the large developments on James Island which impacted surrounding communities, which aren't getting much help with those impacts, along with flooding and traffic.

Mayor Tecklenburg said, "Yes, sir."

13. Henry Halter said he was a generational James Islander and was against the moratorium as written because it was very restrictive to property owners. He thought part of the problem was that the governments hadn't worked together, and that while everybody else signed on, the City of Charleston did not. He thought it would go a long way in solving some of the problems if everyone worked together to obtain a happy medium so that the property owners get some relief. He thought there needed to be a little bit more of a common ground for the governments to work together to solve this, instead of a flat 1,500 square feet, which was small, in his opinion.

Mayor Tecklenburg said, "Yes, sir. Thank you very much."

14. Julie Halter Altman said her family purchased the piece of property on Folly Road, that her brother just spoke of, in 1926, and they've paid a lot of property taxes. She stated they are ready to sell and this moratorium binds their hands.

She said they have been good stewards of James Island, they have had many opportunities to sell to things they did not feel James Island would like, and she feels the City is punishing their land because it's probably the biggest parcel. She stated she was against the moratorium because, as a property owner and a good steward, the City needed to take their lives into consideration, as they had been severely impacted by the Town of James Island.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on this matter?"

15. Lindsey Hamrick said she lived on London Drive on James Island. She said, with all due respect to the Halters, she didn't think anyone was due any more rights than anybody else on James Island just because they've been there for a long time. She said they're all trying to work together and build a comprehensive quality of life for everybody. She said every problem that they've had on James Island had been City zoned. She didn't think that it was necessary for the City to take action right now, and somebody had to take the first step and be the leader. She said if Council held to their votes then, hopefully, everybody else would come aboard and this would allow time for City staff to look at things already in place that were easy to adopt right now. She said they're almost to a result and she didn't think a couple months would hold up what they wanted to do with their property.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on this matter? If not, it comes to Council now."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I would move for approval of the ordinance with the 1,500 square feet struck and add in lieu thereof 25,000 square feet, and that's for the located non-residential."

Councilmember Waring said, "Second."

Councilmember Williams said, "Question."

Mayor Tecklenburg said, "We have a motion and a second."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "How many more months are on this moratorium?"

Mr. Lindsey said, "This was passed on May 9th, and we've just gone past three months. So, we have three months left."

Mayor Tecklenburg said, "So, we have about three months still left and, to let folks know that were concerned about either the time or the size of the square footage, our Planning Department has already been meeting, as Mr. Lindsey indicated, with the County and the Town of James Island, and even Folly Beach, I believe, and we plan to bring this to Council in the month of September, maybe not the first meeting, but certainly the second meeting, a proposal to you that will basically, like the young lady mentioned, bring back that Overlay District that had

been proposed before, and to adjust our General Business zoning for James Island to reduce the density for residential development, and the things that we feel we need to put into effect after the moratorium is over. So, we don't plan for this to drag out and last for a long, long time. I just wanted to let you know that. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, Mr. Mayor, I'm one that really hates moratoriums, not for one particular section of the City. The entire City of Charleston is destroyed right now by overdevelopment, downtown is being overrun by big apartment buildings, hotels on top of hotels, but the reason I'm going to support this tonight is because James Island has two of the best City Councilmembers sitting in this Chamber tonight. They have Councilmember Gregorie and Councilmember Kathleen Wilson. That night when we left off of James Island, we went to dinner and sat down and talked. I couldn't go home because they wanted to talk about doing a moratorium. They said we have to do something for the people of that Island, and I promised them that I would support them because they work so hard to protect the people on that Island. I am going to vote to support them because they're two hardworking Councilmembers, but I think we need to take a hard look at the entire City of Charleston, because the City of Charleston is being destroyed. We're talking about flooding, all of these buildings that they're building, all of this concrete that is being built, nothing is being done about drainage, all of these hotels are just popping up all over the place. Nothing is being done with the drainage to make sure, because, if you look in another four or five years, you're not going to be moving around Charleston or Charleston County. You keep saying 40 people a day are moving to Charleston, but we're not doing anything that we can do to address the flooding and the traffic. So, if we come up with another moratorium again, I hope it's the entire City of Charleston and not just one section of the City. Thank you."

Mayor Tecklenburg said, "Well, thank you. I will share with you that Councilmember Moody does have a portion of James Island, as well."

Councilmember Lewis said, "He does, too? Okay, well, these are the two people who work so hard."

Councilmember Wagner said, "He didn't buy dinner though, right?"

Councilmember Lewis said, "They really were concerned when we left the meeting that night. They really were."

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Wilson.

Councilmember Gregorie said, "Mayor and Council, I'm on the Island now at least three to four times a week, so, I can now talk about some of what is going on from experience. I noticed that we're going to be talking about putting sidewalks on Howell Avenue, but we need to also think about Fleming Road, too. When we do that, we really cannot forget the drainage issue here, folks, and the flooding issue here. I know we have been discussing the density and the overabundance of apartment buildings, all of which contribute to flooding, the clearing of our land and our trees, that contributes to flooding. The Island is really suffering to make sure that we keep it safe and protect it as much as we can. If not, there will be overdevelopment and there will be flooding. I also think that we need to take a more comprehensive approach. I agree that we should incorporate the Overlay, but I do think that we need to also be cognizant of

the need for an in-depth drainage study on the Island. We need to make sure that we have an in-depth study of transportation and hopefully, this regional transportation approach, of course, will include James Island. I do think that you're correct, Mayor, when you talk about boroughs because James Island is a borough, and it is very unique from other parts of our City. I do think that it needs the same kind of attention that we're giving West Ashley. We need a comprehensive plan for the Island. I don't know whether or not the moratorium and what we come up with will do that. I'm willing to wait and see, but if it doesn't, I'm sure that Kathleen (Councilmember Wilson), (Councilmember) Moody, and I will be back here for a comprehensive plan for James Island, which will be interjurisdictional. So, of course, I'm going to support this. This is something that Kathleen, Moody, and I have been talking about for more than six, seven, or eight months. We've been talking about this for some time. We've just never had the votes to get it done. Now, I think we do and, hopefully, we'll be able to override the Planning Commission's recommendation."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Thank you very much. As we are well aware, James Island has a tortured past, and things have changed substantially on the Island. We know that this entire area is growing by leaps and bounds, and James Island has certainly been no exception. The importance of this moratorium, it's more than simply symbolic, it's a question of taking these commercial corridors and simply stopping things for a brief period of time. 180 days is not a terribly long period of time, but there is a lot that can be accomplished, and that ball has already started to roll, as far as what can be accomplished. We need to attend to the commercial areas along Folly Road, along Maybank, although it's not on the agenda tonight, and it's not part of this moratorium, we do need to have a much more comprehensive plan. In spite of that tortured past, I think we see that the relationships have grown, they have matured, things have settled down. I have the ability to call on Mayor Woolsey and Councilmember Qualey any time I choose, and that has not always been the case on James Island. I'm grateful for their support and the ability to speak and go back and forth to intervene with the Intergovernmental Council. It's not a policy-making Council, however, we do have the chance to come to the table as civilized people, and that is lacking in the United States right now, basic civility. We have the ability to do that, to come together and try and discuss some of these things. I think a broader look at James Island is well in the works, a comprehensive drainage study is absolutely mandated and much more. However, things have started to roll, and that is great, and that has never happened before, because of the spirit of cooperation. Gentlemen, this evening, I don't want to belabor this, I'm going to ask for your unanimous support in upholding this moratorium with the amendment as Councilmember Moody presented. Thank you."

Mayor Tecklenburg recognized Councilmember Wagner followed by Councilmember Waring.

Councilmember Wagner said, "We all have a very common denominator, Councilmembers Wilson and Moody, and my buddy here who keeps me straight, Dudley, because I represent Johns Island, and I'm the only one over there. Together, we're the last frontier. We're the only ones with any dirt left. We're the only ones with any farms left. The moratorium is important because Johns Island is only a few years behind James Island in its current development, and I think we ought to follow Councilmember Lewis' idea. If we're going to look at that part of the redevelopment as part of the moratorium, let's go on and expand it a little bit further, pretty much all the way through everything that's in the growth boundary right now, and possibly look forward into doing a DuWap-type project with the entire area, where

we're not fighting each other over zoning. There will be a couple of zoning issues coming up tonight on the Island that we'll be talking about later on but, do I support this? Yes, I do, and these three, led by Kathleen Wilson, have kept this in my forefront pretty well, and Councilmember Gregorie and Councilmember Moody. So, I'm ready to vote, guys, if you are. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I, too, would like to chime in and thank Councilmember Wilson, Councilmember Gregorie, and Councilmember Moody because, when it comes to the specifics of the area, none of us can know them all. I want to thank the people from James Island for coming out and being consistent in your requests because it does matter when you come and speak, government does hear you. One of the things, when it comes to this moratorium, I'd like to harken back to something you said, Mr. Mayor, in relating to the boroughs of New York. We have our unique areas in the City of Charleston. Daniel Island is certainly unique. Obviously, the Peninsula is certainly special, James Island and Johns Island have their uniqueness, and certainly West Ashley does, as well. That concept of where planning for a specific area that you alluded to, maybe, a couple of months ago, I really think should take root in answering some of the specific planning questions that apply to James Island, as we hear from Councilmember Wagner. I'm going to support it, obviously, but I do appreciate the conversations after the meeting that a lot of the public doesn't realize take place among the various Councilmembers. When we say, 'I don't know', the Council people that represent those areas step up to the plate. Mike Seekings stepped up to the plate big time on an issue nobody in here knows about, but it was something called the Sergeant Jasper, and we all got to be a little bit better and did a little bit better due diligence. Did the compromise come out in his favor? No, but it didn't come out the way we wanted it either. So, maybe there was some success there. Does anybody know, Mr. Morgan, what was the vote on the Planning Commission on this?"

Mayor Tecklenburg said, "It was 5 to 0."

Councilmember Waring said, "5 to 0. I'm probably the only person in the room that has put time, almost 18 years on the Planning Commission and served time on Council. They do great work but sometimes, I think, it is unfair. I've come to that feeling as a result of coming to Council. You vote on something on Planning, it goes away, and you take up the next issue. But, the various committee meetings, the additional information from staff, what all we hear from citizens that come out to the meetings and call us and sometimes visit us at our places of business, they don't get that. A lot of times, they don't get that additional information and input that we do, and sometimes they're in a little bit of an awkward position from an informational standpoint. So, I just wanted to speak up for all of our colleagues that we have respect for on the Planning Commission, but we definitely need to override them tonight. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I'm going to support the amendment to include the 25,000 square feet. I think it strikes the right balance to what we're trying to accomplish with this moratorium. I don't want to restate the obvious, that we are growing so fast throughout every part of the City. I traveled over onto Johns Island on Saturday

at 3:00 in the afternoon. I thought there was an accident or some kind of emergency on the new bridge, and it took me thirty minutes to get onto Johns Island from the golf course area to River Road. That's not part of James Island, but, certainly, it reflects the problems that we're facing throughout our City. So, hopefully this is more than just a pause button, that we will accomplish something with the study. I'm confident that we'll have something before us that is going to be meaningful for the citizens of James Island and for the whole City. So, let's follow the lead of our fellow Councilmembers and vote unanimously in favor of this moratorium. Thank you."

Mayor Tecklenburg said, "Councilmember Seekings, did you want to be heard?"

Councilmember Seekings said, "No."

Mayor Tecklenburg said, "Is there anyone else?"

On a motion of Councilmember Moody, one (1) bill (Item E-11) received second reading. It passed second reading on motion by Councilmember Waring and third reading on motion of Councilmember Seekings. On further motion of Councilmember Riegel, the rules were suspended, and the bill was immediately ratified as:

2017-083 AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO ARTICLE 9 THEREOF A NEW PART 7 PROVIDING FOR A TEMPORARY MORATORIUM ON THE ACCEPTANCE OR PROCESSING OF DEVELOPMENT APPLICATIONS PERTAINING TO PROPERTIES LOCATED IN NON-RESIDENTIALLY ZONED DISTRICTS ON JAMES ISLAND THAT EXCEED 4 UNITS OR 25,000 SQUARE FEET. **(AS AMENDED)**

Mayor Tecklenburg said, "So, as is required and the custom, I will now sign the ordinance that will put this into effect. I must say, Mayor Woolsey, that I feel like I'm signing the Peace Treaty between the City of Charleston and the Town of James Island."

Councilmember Gregorie said, "Mayor, is the amendment on there?"

Mayor Tecklenburg said, "As amended."

Councilmember Gregorie said, "Okay."

The Clerk said, "I have it as amended."

Mayor Tecklenburg said, "The motion as amended. Alright. Next, back to Item E-1."

Councilmember Waring said, "I just want to point out that that our Clerk is clairvoyant for everybody in here."

Mayor Tecklenburg said, "She is. Mr. Morgan."

Mr. Morgan said, "Thank you, Mr. Mayor and members of Council. This first item, E-1, is a rezoning at the corner of Meeting and Romney Street. The map is in front of you here. This is a site that was formerly leased by the City as a park. This is Meeting Street running roughly north/south, this is Romney east/west, I-26 is elevated in this portion right here. It's in the East Central neighborhood. These folks have been working with the neighborhood to get their

comfort with this rezoning request. It's a rezoning request from Limited Business to Mixed-Use/Workforce Housing (MU-1/WH), which means it corresponds with the Limited Business uses, which means that, typically, the types of commercial uses here can't go out and go on past 11:00 p.m. The surrounding area is zoned Limited Business, so that makes a lot of sense and, of course, the MU-1/Workforce Housing will allow for the requisite workforce housing requirements that have upgraded recently. The Planning Commission and staff both recommend approval of this request."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, the matter comes before Council."

Councilmember Mitchell said, "Mr. Mayor, this property is in the district that I represent, and I think the developer spoke today with the neighborhood President, Ms. Jenkins, who is in East Central. They spoke with her, and they're in agreement on it. I don't have any problem, so I'll make a motion we approve it."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "We have a motion and a second. Is there any discussion?"

No one asked to speak.

Mayor Tecklenburg said, "I would just like to make the one comment that it feels good that just after increasing the requirements for our Mixed-Use for more affordable housing that we have new properties already coming in under that designation. Every one that happens is going to ensure some bit of more affordable housing in our City."

On a motion of Councilmember Mitchell, seconded by Councilmember Lewis, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Meeting Street and Romney Street (Peninsula) (0.522 acre) (TMS #463-12-02-054 through 463-12-02-061) (Council District 4), be rezoned from Limited Business (LB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Robinson Family Associates LLC.

Mayor Tecklenburg said, "I think that was just first reading."

The Clerk said, "That is correct."

Mayor Tecklenburg said, "So, if I may ask that we take agenda Items E-2 and E-3 together."

Councilmember Seekings said, "So moved."

Mayor Tecklenburg continued, "They're adjacent properties."

Councilmember Mitchell said, "Second."

On a motion of Councilmember Seekings, seconded by Councilmember Mitchell, City Council voted unanimously to give take Items E-2 and E-3 together.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "Yes, sir. So, Item E-2 is the 4.791 acre parcel, and Item E-3 is a 5.308 acre parcel. They are adjacent to one another on Ashley Town Center Drive, although they are addressed off of Burris Road. To orient you to the map, this is Ashley Town Center Drive, and this shadow here is the Costco Warehouse Club. Over here, this is a residential area. Here, immediately to the north, there is an industrial area that the St. Andrews Public Service District has for their operational yard. This map is a little bit misleading because it implies that there is a road that traverses the property. There is not, and, in fact, there is actually a very substantial drainage canal that is part of the Tiger Swamp Drainage System. That is actually a critical area that means that the viability of a connection here is really nil. It just doesn't make economic sense that there would ever be a connection into this residential area here, and, in fact, recently these parcels have added land up towards Ashley Town Center Drive, into the parcels, so that they will now front on Ashley Town Center Drive. With that change to the parcels, staff became comfortable that they would be oriented to Ashley Town Center Drive and not towards the neighborhood, and we felt comfortable with the request for the rezoning of both of these parcels from Single-Family Residential to General Business and, again, they will be oriented towards Ashley Town Center Drive. This request is not about filling wetlands. There are substantial wetlands that are going to be out here that will still remain. This is just about working to develop the highland portions of these sites, and both Planning Commission and staff recommend approval of both of these rezonings off of Burris Road."

Mayor Tecklenburg said, "Thank you. Would anyone like to be heard on either Item E-2 or Item E-3? We have someone to reply to questions, if you like. Would anyone like to be heard on this matter? If not, it comes to Council."

Councilmember Mitchell said, "Move for approval."

Councilmember Waring said, "Second."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to reiterate for the second time because some people had the sidebar discussions going on. Mr. Morgan, the wetlands between Burris Road and the Single-Family neighborhood, there will not be any bridging or connectivity between this Multi-Family tract and the Single-Family neighborhood across the creek, as we say?"

Mr. Morgan said, "No, sir. The zoning doesn't prohibit them from doing that. They would have to go to the Corps of Engineers, but it would be a very, very expensive bridge that really wouldn't achieve anything, because the commercial viability of these sites is from Ashley Town Center Drive, not from the residential to the rear. If it had remained residential, there might have been some degree of interest in doing that, because that would be connected to make the residential more attractive, but now that it would be commercial with this rezoning, there's just no real sense in spending that money for a bridge."

Councilmember Waring said, "No real sense and no plans to even do it. I just wanted to highlight that again."

Mayor Tecklenburg said, "Yes, sir. Are there any other questions or comments?"

No one asked to speak.

Mayor Tecklenburg said, "We have a motion on the floor."

On a motion of Councilmember Mitchell, seconded by Councilmember Waring, City Council voted unanimously to give first reading to the following bills:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Burris Road (West Ashley) (approximately 4.791 acres) (a portion of TMS# 310-03-00-028) (Council District 7), be rezoned from Single-Family Residential (SR-1) classification to General Business (GB) classification. The property is owned by West Ashley Town Center 526 LLC.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Burris Road (West Ashley) (approximately 5.308 acres) (a portion of TMS# 310-03-00-029) (Council District 7), be rezoned from Single-Family Residential (SR-1) classification to General Business (GB) classification. The property is owned by West Ashley Town Center 526 LLC.

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "For the next one, I know there's separate work to be done on Item E-4 and Item E-9, but they are about the same pieces of property contiguous, so for purposes of a public hearing, can we take Items E-4 and E-9 together?"

The Clerk said, "They're deferred."

Councilmember Seekings said, "They did get deferred, but we have to have the public hearing anyway."

The Clerk said, "Yes."

Mr. Morgan said, "Yes, these have been deferred."

Mayor Tecklenburg said, "We do have to have the public hearing."

The Clerk said, "We do, because they were advertised."

Mayor Tecklenburg said, "We will not be taking action on Items E-4 or E-9, but we will certainly take the public hearing together. Mr. Morgan, do you want to present both Items E-4 and E-9?"

Mr. Morgan said, "Yes, sir. So, these properties are immediately contiguous to one another. This is an image that shows the general area. This is the Johns Island Airport, and it's just to the south here. The marshes of the Stono River are shown here in the green portions, and then the Stono River itself is up here. The subject parcels for downzoning are these outlined here, a total of 89 acres, and it's a downzoning request from Light Industrial, which allows 19.4 units an acre, to RR-1, which allows only 3.5 units an acre, so it's a very, very

substantial downzoning. It's very much in keeping with the Johns Island Plan, as well as the Citywide Comprehensive Plan, as far as getting the unit count down in an area like this that's in a sensitive area along the Stono River. When it was brought into the City, it had been, I think, because of its proximity to the airport, envisioned as potential industrial property, but because of the access issues and the light demand for industrial property on Johns Island, it's not shown viability for that. That's why the applicants are requesting to move and downzone to a residential category. I'll show a few other slides.

Here again, is the concurrent application, which is an actual annexation from the County. It's Zoned R-4 in the County and again, that is a downzoning from Charleston County designation because the County would have allowed 4 units an acre. The City would be 3.5. We would also make sure that the critical area comes in as conservation zoning so, again, the acreages may sound deceptive because there's very, very little highland, and I know that there is a lot of misinformation out in the community. The City bases its density basically only on highland, so any wetlands, things like that, they don't count towards density, so there have been some figures thrown around about this property that are way out of scale as far as the amount of development that could occur here and, bottom line, it is a major downzoning for Johns Island. We do have some aerial photos here. You can see the proximity to the airport. To the south here are the runways and, I believe, the primary runway at the Johns Island Airport is this east/west runway. I'm not sure how much the north/south actually gets used. I know there was some discussion about proximity to those runways, and here is the image from the Johns Island Plan that shows the site. The recommendation in the Johns Island Plan is that it be between one and four units to the acre. So, again, complete concurrence with the Johns Island and the City of Charleston Comprehensive Plan for that, and I should also add that the Planning Commission recommended for approval of both of these items."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter? Yes, sir. Please come forward."

1. Shane Woolf said he lived on Burden Creek Road, which was adjacent to the subject property. He appreciated the opportunity to make public comments and appreciated everything Council did in service of the community. He knew this had been deferred, but he wanted to address comments that Mr. Morgan made. He said 11 days ago he and his neighbors didn't know anything about this. The downzoning and the access to the property went through their neighborhood. It was a private neighborhood with a private street, so there was some concern among their neighbors about what that would mean if they were able to build. Even though it was downzoned, RR-1 is 3.5 houses per highland acre, so that could still end up being substantially larger and more dense than their neighborhood, and some of the other homes on Burden Creek Road coming into the neighborhood were up to 3-acre lots. It was lowland, there was marshland in there, and a lot of what they heard was about flooding, overcrowding, traffic coming onto the Island, and about a Comprehensive Plan or a Community Plan. In 2007, there was a Community Plan that was adopted that, he thought, was ratified and codified by Council. He respectfully asked that Council consider that in their deliberations when this came up next time.

Mayor Tecklenburg said, "Thank you, sir. Yes, sir."

2. Phillip Dustan said he had lived in Charleston since 1981. He was an ecologist with the College of Charleston. He helped design the Aquarium and gave it its

plan, as a landscape designer, the idea of water from the mountains to the sea. He said he studied coral reefs and marshes. He was on the Johns Island Growth Management Committee and helped write the Johns Island Growth Management Plan with Anne Frances Bleecker. He also lived on Burden Creek Road. They found out about this about 11 days ago, and a week ago he wrote a petition and put it on Change.org called 'Save River Road', and they had 1,622 signatures. Johns Island was a series of old fossil dunes. The highest of those dunes were at 25 feet and in the lowland areas it went down to about six to eight feet, just above sea level. There were two dunes, and in between that area, should there be a storm like Hugo or possibly Matthew, or larger, water would come in from Bohicket Creek and the Stono River, and it would be just like Hurricane Katrina in New Orleans. There should not be developments built below 15 feet elevation, and that was in the Johns Island Growth Management Plan.

Mayor Tecklenburg said, "Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Order, please. Order, please. I'll be glad to ask everyone to raise your hand if you support a particular point of view or not, but I ask you not to erupt in applause, please. Yes, sir."

3. Stephen Reeves said he appreciated what Mr. Dustan just said. He said he would take anyone who wanted to go on a tour of this property as he raised his son on Johns Island hunting and fishing on this property. He stated the property after all of the rain they've had is under water. He also reminded Council that Charleston County had a landfill out on Bees Ferry Road and someone decided he wanted to build a hunt club out there and as soon as they needed to expand the landfill they got a lawsuit slapped on them because nobody wanted that landfill to get any bigger, and property values would go down.

The Clerk said, "Sir, your name, please."

Mr. Reeves said, "Stephen Reeves."

The Clerk said, "Thank you."

Mayor Tecklenburg said, "Thank you, Mr. Reeves. Yes, sir."

4. Mark Brandenburg said he lived on Burden Creek Road and was a lawyer in opposition to developing this property, as well. He said they were told that this matter was deferred and there were a lot of people there to speak who were against this. He asked anyone who was still there to stand. He stated he wrote a letter, which he presented to Council, and had an opportunity to speak with a number of the Councilmembers about, which explained their opposition to developing this property.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

5. Rich Thomas said he lived at 4360 Bohicket Road on Johns Island. He said they had heard by Councilmembers that climate change issues were prominent

considerations in discussions the City had these days, both flooding and damage related thereto. He said to note that the City included not only the Peninsula, but also outlying areas such as Johns Island. He stated these properties included areas that do flood and would likely be subject to effects of climate change with rising sea levels. He urged Council to consider that in changing zoning for residential until these issues were considered. With the Comprehensive Plan for Johns Island, as Mr. Wagner mentioned, the development, and as Mr. Shahid mentioned, the traffic coming onto Johns Island, they couldn't handle it anymore. He urged Council to deny these zoning amendments.

Mayor Tecklenburg said, "Thank you very much. By the way, I had an announcement that I should have made that the regular power is now back, if anybody needs to use the elevator to exit, it should be operational again. Yes, sir, please come forward."

6. Jason Crowley, Director of Communities and Transportation for the Coastal Conservation League, said, at this point, pretty much all of things that he was going to say had been said by the neighbors and residents and he wanted to let that speak for them. He wanted Council to take that as a sign. He reiterated what Councilmember Wagner said that this wasn't the final frontier and it, quite literally, was the final frontier for the Urban Growth Boundary because the airport was right there on the edge. The zoning for this was meant to serve as a buffer between the existing residential and the airport. He stated, if anything, this was the perfect opportunity to use the refunded Greenbelt monies from the most recently passed half-cent sales tax to acquire this land and use it as a true buffer for the airport so that, in perpetuity, they had a hard edge on this portion of the Urban Growth Boundary.

Mayor Tecklenburg said, "Thank you, sir. Yes, sir, please come forward."

7. Thomas Legare said he was a lifelong resident of Johns Island, and he spoke on behalf of the concerned citizens of Johns Island and himself. He stated they were very concerned about 300 houses on this property. He said Dr. Dustan talked about farming the land, and he farmed that land at one time years ago and it was very low land. They were being inundated right now on Johns Island roads with dump trucks having to haul dirt from one side of the Island to the other to fill in lots that shouldn't be built on. He said this land buffers the airport and there needs to be a buffer around the airport and, if they had 300 houses built right next to the airport on the end of one of the runways, that's going to have very dire consequences, if an airplane crashed. He said if anyone had been to Johns Island in the last month or so and seen all of the traffic, all of the trees being cut down, all the plywood plantations and vinyl siding villages they're building, then they realized how bad it was. He said 7,000 more homes coming in on Johns Island would be a nightmare. Several of those developments were in the County, and there was nothing the City could do about it, but the City could put a stop to some of the foolishness, like this 300-house subdivision.

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard?"

No one asked to speak.

Mayor Tecklenburg said, "Okay, this matter, as we mentioned, is deferred, so it's not

coming to Council at this time.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Was this deferred by the applicant?”

Mr. Morgan said, “Yes, it was deferred by the applicant.”

Mayor Tecklenburg said, “Alright.”

The Clerk said, “And Item E-9.”

Mayor Tecklenburg said, “Thank you all, citizens of Johns Island, for being with us tonight.”

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Mitchell said, “I just want to make a statement, Mr. Mayor.”

Councilmember Wagner said, “Go ahead.”

Mayor Tecklenburg said, “After Councilmember Mitchell.”

Councilmember Mitchell continued, “Pertaining to Johns Island, and I know Johns Island well because my family is from Johns Island and have lived over 300 years on Bohicket Road, River Road, all of the areas over there. We are still there. If you look at River Road, River Road is so narrow. I don’t know how it will be able to handle all of this traffic, even if this happened. So, I’m going to look at this very seriously, even when it comes back to us. I know it’s not up for discussion now, but I have family that still live right by the airport, and in that area. I had about ten or more family members that were killed on River Road because of the trees. Some of the trees were sitting right in the road, and when you’re going down the street it’s so narrow. I was out there before they had Kiawah and Seabrook Island. We lived over there, and the way the traffic is now, it’s terrible. River Road is terrible and Maybank Highway traffic is terrible. I was over there when there were dirt roads, and they didn’t even have half of these things that they have now, on Johns Island. We’ve got to look at this very carefully and I think we need to really look back at the Urban Growth Boundary too; let’s look at all of this and see how we can include it in what’s happening today. I think we are going to let the horse get out and start running and we won’t catch it. So, we need to look at it now, kind of stop of it right now, and get a handle on it.”

Mayor Tecklenburg said, “Yes, sir.”

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, “He took half of mine. Christopher, show where the actual Urban Growth Boundary is on that property. It’s very unique, because it directly abuts it.”

Mr. Morgan said, “Yes, so, the Urban Growth Boundary, roughly, is this line going around the airport. The airport is on the inside of it, it goes up River Road, comes in just above the Waterloo Development here, and comes to the back of the old Shade Tree Development. I think that’s Oakfield, or something like that now and follows this line here, goes around over to

the Maybank intersection, near Bohicket above that, and then roughly follows Brownswood Road all the way up to River Road there.”

Councilmember Wagner said, “Alright. I wanted to talk about that a minute, because what Mr. Legare mentioned was that they’ve got water, but they don’t have sewer. We’re talking of taking Light Industrial and turning it into something that is going to border on that one acre, without septic, but we don’t know what that’s going to be, as far as I’ve been told. Mr. Brandenburg made four or five really good points in his letter. They didn’t have appropriate notice, lack of access to the property because the road goes through their particular subdivision and they use an access, an easement to get into the property. I guess Mr. Legare could talk more about that, too. A couple of the other things: It conflicts with the Community Plan with the Coastal Conservation, as my new buddy mentioned. I talked to him and we had a very good talk about this the other day. I said, ‘I’m going to say this but you can’t tell anybody’, but I’m going to go on and confess. I agreed with him, and if you all know the history between us of recent months, especially with I-526 and all of that, that was an unusual statement, they’re right. When you’re right, you’re right, and I appreciate Mr. Rich Thomas and Mr. Thomas Legare both for being here tonight. Even though we haven’t always agreed, I think there is mutual respect. Mr. Legare called me from the top of that bridge one morning and said, ‘hey, I’m stuck here for the last hour, what are you going to do about it?’ It might have been a joke but you know what, we attacked it anyway. He mentioned the Rawl property, we don’t know what that PUD is going to be, but it went through a whole series of court cases to get it to the point where it is now, developable without taking that full history. I think you all probably remember that, or most of you all that are sitting around the table do. So, I’m thinking that this probably isn’t a good idea just yet, it needs a whole lot more cooking and we know what the scientist said, what the doctor said, the Coastal Conservation, and the guys that have lived there their entire life. Let’s look at it a little bit harder before we go out there and talk about it any further. Thank you.”

Mayor Tecklenburg said, “Alright.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Yes, sir, Mr. Mayor. Thank you. I did ride out to Johns Island on Saturday and met with Mark Brandenburg and two other residents. They took me around to the area. All have had the opportunity to ride on River Road, which is a narrow road, but the access road off of River Road to this property is nothing more than a glorified driveway, and going out there it was wet and after several days of rain. So, the wisdom of trying to rezone this property is something that we’re going to have to face at some point in the future. I’m glad it’s been deferred, but everything you heard tonight is absolutely true as to what I observed on this property. It’s not suitable, I don’t think, for housing, for a number of reasons, but if nothing else, just the infrastructure or lack of infrastructure alone is going to cause the folks who live out there now a whole lot of problems, and the folks who move out there, a greater amount of problems. It is just not available to handle any kind of influx of traffic that this development may cause. So, I’m glad it’s been deferred. We’ll take it back up, if it does come back up at a future date, but I appreciate all of the comments that the citizens have made to us this evening because it’s been very informative as to what the history of this property has been. So, we’ll see what happens weeks down the road. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Is there anyone else?”

No one else asked to speak.

Mayor Tecklenburg said, "Mr. Morgan, let's go on to Item E-5."

Mr. Morgan said, "This is just up the road from the previous application. This is a very small change to the Stonoview Planned Unit Development, which is here on River Road, about a half mile or so north of the property we were just looking at. To the rear is the path of the I-526 roadway, which you can see kind of breaking across the property there. The on-ramps for I-526 coming onto River Road will be roughly in this area here, I believe, and the request here is to add six acres to the Planned Unit Development. It would still stay at 2.3 units an acre which is, again, much lower than the plans call for in this area. It would end up adding less than a dozen houses to this development. This was reviewed by Planning Commission and they recommended approval, as does staff."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on this matter? Yes, sir."

1. Mark Brandenburg urged Council to reject this matter. He said it may be symbolic, but if the sequence of events had been in reverse, he didn't think they would even have this subdivision right now. This is a little deceptive, what they had in front of them, because it showed only the lots that were actually built and being built on right now. This was going to end up being a 300- to 400-unit subdivision and if they had the Johns Island Community Plan in place when this PUD was originally proposed and, specifically, if they had the PUD ordinance that they had in place now. There was no subdivision like this on Johns Island anywhere in between Maybank Highway and Kiawah on River Road. This was the only one like this. There may be some more in development as a result of this statute not being in place, but there was nothing like this right now. So, on that criteria alone, he thought they would have rejected the entire PUD. They had already heard a number of times what it's like trying to get on and off of Johns Island, at this point. His children went to James Island High School. If they didn't leave at 7:00 a.m. on a school day in order to get to school by 8:00 a.m., they didn't make it because traffic was so bad already on River Road. So, this wasn't consistent at all with their traffic plan.

Mayor Tecklenburg said, "Thank you, sir. Would you like to be heard again, Mr. Legare?"

2. Thomas Legare said this was in his backyard. They're wanting to widen the road in front of his house and take part of his driveway to add another turning lane for this. He knew it was symbolic, 12 houses on 12 acres is not a lot but every little bit added up. This subdivision, when it got built out, was going to be a nightmare and when those people that were buying in there realized that I-526, if it ever came, and they knew how he felt about that, they're going to be really mad at somebody.

Mayor Tecklenburg said, "Yes, sir."

3. Phillip Dustan said, one time at a meeting, at the Johns Island Growth Management Committee, Vic Rawl sent one of his minions to come over and tell them about the development he wanted, after they put this nice flashy development up on the screen and showed it to them. Anne Frances Bleecker got up and said, 'you can't build I'on on Johns Island,' and that was exactly what

this was. If you drove to Stonoview and you drove around there, it was basically a glorified little sort of l'on that's built there and it had changed the drainage patterns, impervious surface area of, essentially, zero clearance lots was there. These were low lands. When that hurricane came, and it wasn't a matter of if it came, when it came, and it blew through Bohicket Creek and the Stono River, this place would be gone and the people who live there. How were they going to get to them, how were they going to save them, how was the emergency going to work? The other issue was they were supposed to be preserving the ecology of the Stono River, which now, essentially, you could go harvest shellfish out of the Stono River. This was not appropriate for an area that they valued as a natural environment. If they want to turn it into the Bronx, let's get everybody to vote on it but isn't not the Bronx, it's Johns Island.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard? Yes, sir."

4. Rich Thomas said he wanted to address one point about this development. He said he'd been told by people who were familiar with it that they were allowed to take out a number of grand trees in this development and he knew there were tree hearings and all of them had been approved. Some of them were allowed to remain and they agreed to build barriers around them and preserve these grand trees in the neighborhood. What he had been told was that because of the impervious nature of a lot of the new property, the water ran off into these preserved areas for these grand oak trees and had drowned and killed them. So, it made him wonder when these plans came up and the City and the Planning Commission and the tree hearing committee and all were told of all of these wonderful plans and how the land was going to be protected, the trees, and then they saw the opposite happen. So, again, approving more development was not a good thing.

Mayor Tecklenburg said, "Yes, sir. Would anyone else like to be heard? Yes, sir."

5. Jason Crowley with the Coastal Conservation League said wanted to further echo the comments made by the residents and it offered another opportunity to take a closer look at the Sea Islands and focus moving forward on Comprehensive Master Plans looking at form base codes, in particular, in contextural zoning for this area. He thought they were seeing a lot of attention that was needed to be paid for all of the 'boroughs' of Charleston and he heard that this continued to invigorate all of them to take the success of Plan West Ashley and apply it to all of the communities of Charleston.

Mayor Tecklenburg said, "Yes, sir."

6. Todd Richardson said he represented the property owners and the developers. He said this was a six-acre addition from the rear of the Polk Family Tract, who wanted to move their property on. They didn't occupy it and they worked with Lennar, who was the new owner of Stonoview. He said they have been involved with the person who bought it effectively out of the downturn five years ago which was originally Brock Built Homes. They worked with them since then to improve the neighborhood and the Standards. The first phase of Stonoview was done under a previous design and they came in and helped them overhaul, add a lot of

meat to the PUD as well as neighborhood design standards. He said this helped with the traffic flow internally, as well as some of the interior drainage. He said that this property had to go through with the Technical Review Committee at the City, as well as what had happened previously with both the trees that had been asked to remove. The people were held to very rigorous standards for those and they were constantly monitored. If it had, to his knowledge, which he was not aware of, any mass tree deaths on the property, and again they had been working on it for five years. That may have happened previously. They were here to help facilitate the best design and function of the neighborhood possible.

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard? Yes, sir."

7. Shane Woolf said everybody had made a lot of good comments about this particular ordinance amendment and it was probably symbolic. He said he went with his wife over the weekend and drove into the neighborhood to see how it had been growing, and wove their way through cars and around construction equipment. They did protect the trees. They put bunkers around them and the ground around it was built up with sand, but trees didn't grow that way in a bunker. So, with the rains over the end of the week and the weekend a lot of those bunkers were filled in. The trees weren't dead, but it wasn't the way he thought it was intended to go, not the way the Committee expected this to turn out. He said the one comment he wanted to say was this was probably symbolic, and when they were talking about growth, not just on Johns Island or James Island but in the entire area everybody in the world knew they had the greatest City. They all loved this City. They were all here because they loved the City and they want to see it grow in a sustainable fashion for the future. He wanted to see that happen for his kids, ages four and two, and he appreciated what Council does, because they probably had the hardest job of any of them.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard?"

No one asked to speak.

Mayor Tecklenburg said, "I think we're good. If Council is alright, I would like to ask Mr. Morgan a question. What is the current zoning of this six acres and what could be done with it if this matter were approved tonight?"

Mr. Morgan said, "It is R-4 in Charleston County, so that would be four units an acre, Single-Family Residential Development."

Mayor Tecklenburg said, "I see, and if the developer bought the property, they would still be able to put their road through and fix their drainage with the current zoning that it has?"

Mr. Morgan said, "Yes, sir. It would have to, obviously, be kind of wrapped by the PUD you would have to work out how those roads interrelated to the existing PUD."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Wagner followed by Councilmember Moody.

Councilmember Wagner said, "First things first, it's a PUD and it's been around. That's, I think, the fourth potential amendment to the PUD. It started out with, maybe, a hundred units and it was another 80 units or so. We're now, after the third shot, it was like maybe 300 units. Todd could have probably given me the real number for the first three amendments of it and it changed ownership. Now, there are two additional little pieces to this. As I recall, because I saw it about two months ago, the developer is adding that to an existing PUD. That's a whole lot different than starting out brand new. That PUD was originally, probably eight or nine years ago, before I was here, when the PUD first came out we thought it was a good idea. This is different than what we've just talked about, because it is a PUD. It's a Planned Unit Development, they're adding additional units, I didn't recall it being 240 acres or the density on it. I read the PUD, and I went back through the new version of the PUD that was in all of our packages. I made notes on it, put little sticky's on it and immediately left it on my desk. So, I have not had a chance to talk to Mr. Richardson and the developers he represents, nor have we had any input until just now on this item. What I would like to do if it is the pleasure of the Council and the Mayor, I would like to defer it and go back out to the property. Let's make sure we know exactly what we're talking to. I don't see where we can go forward until we go back and look at what we're really talking about. I have been on the property three different times and I haven't noticed the flooding issue. Some of the trees are in the well, but that's true everywhere in Charleston. Anything that's been built in the last 20 years, there are trees in the wells because we won't let the people cut the trees so that's the only way they can get anything there. I would ask you all to defer this, maybe a 30-day deferral, until we can get out here and look at it and see exactly how it fits with the current existing, so we don't have here's what's here now and here's the two slivers we want to add to it. That slide is not up there but there are two relatively small, well, one of them is pretty good size, but the second one is a smaller set as I remember. If you all can show me that, that'll save a little bit of trouble but I don't know how I can move forward on this as it is right this moment. So, I'm going to ask for deferral."

Councilmember Lewis said, "I'll second your motion for deferral."

Mayor Tecklenburg said, "We have a motion to defer and a second."

Mayor Tecklenburg recognized Councilmember Moody followed by Councilmember Williams.

Councilmember Moody said, "I didn't necessarily want to speak to the motion to defer. I wanted to get a clear understanding. My question is similar to yours, Mayor. It can't be in the County now, so, it has not been annexed yet?"

Mr. Morgan said, "That is correct. The annexation is pending final zoning. Yes."

Councilmember Moody said, "Alright. So, if we were annexing it, what would we be annexing it in as? It was to be a PUD."

Mr. Morgan said, "In most areas, when we bring R-4 in we bring it in as SR-1. So, this is substantially lower than that because it's a PUD. That's 2.3 units."

Councilmember Moody said, "Alright. So, in the County right now, you said it was zoned . . .?"

Mr. Morgan said, "R-4, which allows four units an acre, 8,000 square foot lots."

Councilmember Moody said, "Four units per acre and the PUD allows what?"

Mr. Morgan said, "It's 2.3 units an acre. Here is an image that might be helpful to folks and there are potentially eleven blocks here that could fit in this area."

Councilmember Moody said, "To me, they could build the four units in the County right now, if the land would allow it, for the roads and everything. If we're going to put two units an acre, it seems to me like all of the concerns would be greater addressed by bringing it in and making it a part of the PUD. To me, that's probably why the County staff and the Planning Commission voted to approve it because there is less density. That's me, so I'll probably vote for deferral."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "One question, the ten years that I was out on Johns Island and saw all of this tremendous amount of growth, a lot of the property that was on River Road, like Mullet Hall Plantation ten years ago, most of them were already in the County."

Councilmember Moody said, "They were in the County, is that correct? But what I'm saying is, when people speak about this 2000 Urban Boundary Plan, the impact of that when we came to you, they were still in the County. So, they did not have the same requirements. Why are we saying that? Did they have the same requirement of the City Urban Boundary when they asked to annex and extend the plat or whatever? I'm confused about why they need to come into the City if they already have entitlements of the County."

Mr. Morgan said, "I think because the property has the PUD around it, it made sense for these owners to potentially sell to the folks that have the PUD because they could easily access the lots this way without having to bring them in from River Road and build a whole separate road in from River Road and not be part of the PUD. I can't speak for those property owners but that would just be my guess."

Councilmember Williams said, "In consideration of the expert gentleman who talked about more growth on Maybank Highway, it just seems to me if you were looking at the 2000 City Urban Boundary and you had this plan, you have to take in effect the drainage impact that it would have on the property. I'm just getting a little confused because I know about Mullet Hall Plantation, that's going to be a huge plantation and that's been approved by the County. Many things on that Island that have been developed down River Road that's in the County and I saw those grow. I think the last parcel of land that is Habitat for Humanity is Brownswood Estate and that was the last affordable houses. I just get kind of confused if this 2000 Urban Boundary Plan talked about what the expert talked about, that you shouldn't build because of the elevation level. It's just a little concerning, but the other thing that concerns me most recently, there are 500 houses in the MLS Listing on Johns Island and they started from a range of \$122,000 to \$9.9 million, so that is incredible. In looking at the elevation, the flooding and everything you have to ask the question, 'what is that becoming in terms of pricing?' All of these houses that are coming down River Road and all over, they start at \$122,000 to \$9.9 million. I really don't know what the answer is because it seems to me that they're going to build out either in the County or it might be a better situation in the City. I just can't figure out if this 2000 Urban Boundary Plan indicates all of what the expert at the College of Charleston talked about. It seems as though it should have some impact when working with staff and Planning to what is best in terms of density for some of these properties. It's just a little confusing for me to understand. Why do they need to be annexed into the City when they have the same

opportunity in the County?”

Mayor Tecklenburg said, “Alright. Were you going to respond? I think it’s a proverbial question.”

Mr. Morgan said, “I guess the response I would have would be that because this is inside the Urban Growth Boundary, the County allocates four units an acre and up. In our plan, we get a little bit more nuance and try to get the densities to feather out towards the Stono, that was part of our Johns Island Plan. So, that’s why the densities are one to four units an acre in this area on the East side of River Road, so that’s what the Johns Island Plan calls for, that’s what the Comprehensive Plan calls for and we’re trying to lower the densities in this portion of the Urban Growth Boundary. The corridor along Maybank is where the highest densities are on Johns Island because it is higher land and it is more able to be served by other traffic sources and things like that or transportation sources. Is that kind of what you meant?”

Councilmember Williams said, “Okay, thank you.”

Mayor Tecklenburg said, “Alright. So, we have a motion to defer and a second.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Thank you, Mr. Mayor. My concern with this is somewhat procedural in nature and that is this. We have a PUD that was born ten years ago. When the PUD was born and developed and debated and voted on, we had rules back then that said once you have a PUD, it can only be amended for certain reasons. We had to go back and go through those reasons. We’re now ten years forward, we’re on amendment four, and we have a different ordinance to even create a PUD. It just keeps growing because we keep amending it and it’s nothing like what we started with. It doesn’t resemble anything of what we started with and things have happened, one of which the economy got better, so the PUD gets bigger. I just think we are setting some tough precedents and we keep amending PUDs to allow them to grow. We spent an enormous amount of time debating PUDs, thinking about PUDs, looking at PUDs, and we make the developer go through a lot of work on the front end to show us what the PUD is going to look like. At that time we vote on it, we lock it in, that’s what it’s going to be in eternity, the old saying, ‘Zoning is forever until it isn’t.’ Well, this is the great example of zoning is forever until it isn’t and it just keeps growing. So, I’m going to support the deferral but I don’t see any way that I can ever support voting for this because of the precedent we’re setting. Every time someone gets a PUD and says, ‘well, we can come back and amend it later’. Again, this is a PUD that was born under an ordinance that doesn’t exist anymore. We have a new one.”

Mr. Morgan said, “That’s not correct.”

Councilmember Seekings said, “But, we’ve amended it. We have made the test different so I’m just leaning with my chin on this one, that’s my concern here. It may make perfect logical sense but procedurally I worry about how we go through the growth of the zoning through amendments of PUDS.”

Mayor Tecklenburg said, “Alright. Would anyone else like to be heard?”

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "I've got one more thing to ask of either Christopher or Mr. Richardson. I'm remembering that the total infrastructure was in place, the sewage, the power lines, everything, when the early pieces of this were done. So, if we've got all of the infrastructure already in place, does that cover what you're wanting to do as well? First question, and second question, is enough of it there to support what you're wanting to do here?"

Mr. Morgan said, "I think when this PUD was first approved ten years ago that gave CPW the reason to work on pump stations and work with the developer to create pump stations and extensions of lines to come in. I'll let Mr. Richardson speak to the capacity of those lines."

Mr. Richardson said, "Thank you, Christopher. So, I'm just going to point to the graphic, because this was a joint effort when this was originally done, and this was actually done with CPW 12 years ago in an effort to get sewage and better water services onto the Island, which is still a progressive move to provide services to the residents of Johns Island. This is still something that is going on because there are issues with properties that were developed a long time ago that are not even developed in the current sense. They were built utilizing septic systems that are not in areas of good and proper drainage that are having more issues with affluence coming out during storm events than modernly designed neighborhoods under the rigorous TRC standards. So, right here is the pump station, and the infrastructure for this is already in place. There are two major parcels to this, Stonoview on the right and the Parks at Stono on the left, which was a County parcel that was brought in a few years ago, which we worked with the City on. Through all of this, with so many things you have in your Comprehensive Plan of your goals and wishes as well as the infrastructure desires of the City, comes interconnectivity and getting more property engineered properly, especially in these areas. We all live in the Charleston region, we all flood, we all deal with water, it's an issue. I have an office downtown, and nuisance flooding is six times what it was in the '20s. Believe me, I understand and we do deal with it and we deal with it on the barrier islands as well. So, the whole point of this really is, these plans work as best they can to meet the comprehensive goals and, in ways, this PUD is more stringent than the City of Charleston Code when it comes to property development like this. So, when you're bringing something like this in, the classic thing is 'yes, this can be developed in the County', and it can be a higher density or it can be brought into the City at a 50 percent reduction of that density and brought in under better standards than what you would have because what you're going to end up getting is a bunch of hole in the donut properties as you go along, leaving things in the County and pushing people into a situation where they feel defiant and I'm not talking about this time. I'm just saying, in general, there is a defiance out there that people don't feel like if they can get a reasonable hearing at a Zoning and City Council hearing and then they're going to just proceed with their plans to go in the County. I don't think that's the intent of anyone in the City. We're trying to get this all on the same page and under the same Code of Regulations."

Mayor Tecklenburg said, "Alright. Thank you, Mr. Richardson."

Mr. Richardson said, "Thank you."

Mayor Tecklenburg said, "Alright. We have a motion to defer and a second."

On a motion of Councilmember Wagner, seconded by Councilmember Lewis, City Council voted to defer Item E-5:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending the Stonoview Planned Unit Development (PUD) Master Plan

and Development Guidelines for property located on River Road (approximately 240.68 acres) (TMS# 315-00-00-012, 047, 120 and 345-00-00073, 163 and a portion of 067) and by changing the Zone Map to include a portion of 2115 River Road (Johns Island) (approximately 6.13 acres) (TMS# 345-00-00-067) (Council District 5) as PUD classification. (DEFERRED)

Mayor Tecklenburg said, "The matter is deferred. Mr. Morgan."

Mr. Morgan said, "Okay, we've got a few annexations here. I'll go through these very quickly. This is 2093 Green Park Avenue. It was R-4 in Charleston County. It would come in the City as SR-1."

Mayor Tecklenburg said, "Alright. Is that all?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "Okay, would anyone like to be heard on this matter? It's an annexation of 2093 Green Park Avenue in West Ashley."

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, the matter comes before Council."

Councilmember Lewis said, "Move for approval."

Mayor Tecklenburg said, "We have a motion to approve. Is there any discussion?"

Councilmember Mitchell said, "Second."

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2093 Green Park Avenue (West Ashley) (0.40 acre) (TMS #355-15-00-098) (Council District 2), annexed into the City of Charleston July 11, 2017 (#2017-079), be zoned Single-Family Residential (SR-1) classification. The property is owned by Laura A. Bradshaw.

Mr. Morgan said, "Item E-7 is 1796 Gun Club Road in West Ashley. It's a third of an acre being brought in as SR-1. It was R-4 in Charleston County."

Mayor Tecklenburg said, "We have another annexation. Would anyone like to be heard on this matter?"

Councilmember Mitchell said, "Move for approval."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "Alright. Is there any discussion?"

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City

Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1796 Gun Club Road (West Ashley) (0.34 acre) (TMS #354-03-00-052) (Council District 2), annexed into the City of Charleston July 11, 2017 (#2017-077), be zoned Single-Family Residential (SR-1) classification. The property is owned by Ronald and Victoria Rotzko.

Mr. Morgan said, "Item E-8 is property that is actually owned by the City of Charleston. It's part of our Bender Street Park. It's being annexed into the City and it was R-4 in Charleston County and it's going to be annexed to match the surrounding zoning of SR-2 in the City."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter?"

Councilmember Lewis said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion to approve. This will become part of our City of Charleston Bender Street Park."

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Bender Street (West Ashley) (0.13 acre) (TMS #418-07-00-018) (Council District 3), be zoned Single-Family Residential (SR-2) classification. The property is owned by the City of Charleston.

Mayor Tecklenburg said, "Item E-10, I think."

Mr. Morgan said, "Yes."

The Clerk said, "Mayor, you want might want to say that those two, Items E-4 and E-9, were included during the public hearing."

Mayor Tecklenburg said, "That's correct."

Mayor Tecklenburg said, "Item E-10, please. Items E-4 and E-9 were both heard already."

Mr. Morgan said, "Alright. So, Item E-10 is an item that had a public hearing earlier and has been brought back. The property is between Maybank Highway and Cane Slash Road. The address is 3037 on Maybank Highway and other parcels that back up to Cane Slash and also front on Zelasko Road. The proposal is that the property be brought into the City with a combination of zonings, both General Office in the area that's crosshatched and the parcels that are up towards the Maybank Highway area, and Business Park for the parcels that are in gray, that are along Zelasko, and backing up to the parcels coming back from Maybank Highway. I think we've got some aerals here again. This is a little bit of a different situation because this is an effort to create more of a work center on Johns Island. In our plans, the Johns Island Plan, and our Comprehensive Plan, a work center had been planned for a little bit further to the west

behind the Builder's First Source store and near the Meeks Farm Road area but about five or six years ago that area was zoned for Single-Family development. So, that work center went away and this is an opportunity that came to us with a landowner who was interested in creating work centers here in this portion of Johns Island. I think that when you look at the Johns Island Plan you see that there are efforts in there to have work centers. This isn't what is in the Land Use Guide for that, but it does seem to make sense as far as being in the Central Maybank Corridor and accessible to a wide variety of Johns Islanders for areas for offices and business park-type uses. So, our staff felt comfortable with this and, while it was recommended for disapproval at the Planning Commission, a lot of the discussion on that centered on the shape of the lots and the fact that they were very narrow, not as much as the uses. The applicant can speak a little bit to how the lots are configured together here, but our staff felt comfortable with the request."

Mayor Tecklenburg said, "Okay, are you done, Mr. Morgan?"

Mr. Morgan said, "I am. If anybody had trouble hearing that, I'm happy to repeat."

The Clerk said, "Are you good, Councilmember Gregorie?"

Councilmember Gregorie said, "Yes."

Mayor Tecklenburg said, "Mr. Morgan, could you put the aerial photo up for us?"

Mr. Morgan said, "I think it gets a little bit closer here. So, you can see Zelasko Road here. This is Cane Slash and then some of the parcels that are up towards Maybank Highway."

Mayor Tecklenburg said, "Yes, and do you know of development plans for the property?"

Mr. Morgan said, "Basically, back to this image, the concept that there would be General Office-type uses towards the Maybank side and Business Park-type uses that would be along Zelasko and backing up to those General Office uses."

Mayor Tecklenburg said, "I see. Thank you. Would anyone like to be heard on this matter? Yes, sir."

1. Andy Smith, Director of Design for Front Street Design and Consulting, representing EYC Companies, said they were trying to take residential property and create job opportunities on Johns Island. Instead of crowding in more homes, they would take the property and create medical space, both diagnostic and emergency care. They had talked to hospitals, and interest had been expressed, but there would be no commitment until land was available. This plan also created an opportunity for Maybank neighborhood infrastructure through the community. The property was only on a portion of Zelasko Drive and they would improve that portion up to City standards, and would try to improve what came into their purview. The land was currently zoned Residential, but uses were more in line with what they had planned for the site. The site was more of a brown field site than a green field site. They had worked with Councilmember Wagner throughout the process. They worked with Johns Island Community Association, who supported the project. They had also worked with City staff. They chose this zoning because Business Park didn't downsize into any Residential uses. You could not do a business park and create housing out of it later. Also, General

Office was very restrictive on its Residential component. Business Park District had some very specific protections as to uses, character and specifications, which he cited from the Ordinance.

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

2. Jan Williamson, resident on Zelasko Drive, said the developers were going to build warehouses and auto shops in front of her property. She asked where the sewage was going to be pumped. Her ground was flooded and there was nowhere for it to go. Right now, five properties drained into her pond. Developers came in and wanted to put concrete on Johns Island's beauty; and they expected to access their property from her property.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

3. Mohammed Idris said that when poor people were told to move from Concord Street, they were told the land was contaminated. Then, condominiums were built that these people could not afford to live in. We see now, that this was all for the money.

Mayor Tecklenburg said, "Thank you sir. Would you like to be heard? Please state your name and address when you come forward."

4. Ellis Coleman, 1145 Eaglewood Trail, James Island, said he was developer of the property. The owner must sell and asked him to look into development. He noticed that morning traffic in this area was mostly service vehicles coming to work on Johns Island. He wondered what use could replace single-family use, where people already living on Johns Island could work, and not be traveling across one of the bridges. There was a need on Johns Island for medical offices. So, they felt the responsible move would be to change the zoning from Residential to Business. Also, Kiawah Island was to the east and a lot of people worked on Kiawah. Mr. Coleman's company did a small development there three years ago and they were surprised by the number of people living on Johns Island that worked on Kiawah. They were not looking to build warehouses or warehouse space. That was not what the zoning they were asking for. They were asking for a business-type park, quite well-buffered from any residential use, and medical office space on the front.

Mayor Tecklenburg said, "Thank you sir. Yes, ma'am."

5. Susan Morris, owner of the property, thought it ironic that the Planning Board denied this wonderful project but approved a property below ground. She went to FEMA for help after Hugo and they didn't give it because she was 24' above sea level. She worked alongside her husband in service vehicles for years. He died, and she felt this project would be the perfect legacy for him. This not only impacted Johns Island, but the other islands in that area. There wasn't much medical space there now and bridge traffic was bad. There was a new housing development across from her property and she didn't want to cram more houses in there. She asked for approval because it would give people a place to go for

treatment and would give more jobs. She asked people who supported the project to stand up.

Mayor Tecklenburg said, "Let Council note that almost everyone in the balcony was standing up as well. Thank you very much. Yes, sir."

6. Tom Doyle, operator of an appliance store on the property, said Johns Island didn't need more houses, or people to impact traffic. Medical would be a grand thing for the Island. He did business out of his house because there was no commercial space. He supported the change to Commercial use.

Mayor Tecklenburg said, "Thank you sir. Yes, sir. Please come forward."

7. Stephen Reeves, who lives on Cane Slash Road, next to Shadetree Apartments, was 100% for the zoning change. This would bring jobs for the community and paving Zelasko Drive would help, too. It would be good to have a medical facility because now there was no one there, except the Fire Department, who could handle a medical emergency. He said this would be something Charleston could do for Johns Island. He then complimented the police presence and the Police Department.

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard?"

8. Barney Vaughan, Attorney, James Island is representing Mrs. Morris, said he saw the vast need for hospital/medical service. It would be a great benefit to the community.

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

9. Connie Kornahrens, part owner of the property in question on Maybank Highway, said this was a great opportunity. Johns Island was like a vacuum, and there was a need for medical service, especially. She would like to see Johns Island develop into its own entity, with all the services around, so that people didn't need to leave the Island to shop or see their doctor.

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

10. Sharon Kaufman, Johns Island, said Ms. Morris was concerned about the traffic. She said Ms. Morris must sell and she could have sold to a developer, but she was doing the best she could for the Island. She was doing the right thing by bringing in medical help for the community. She was definitely for this.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

11. Thomas Legare, 2620 Hanscombe Point Road, Johns Island, said there was no office space, warehouse space, or business space on Johns Island. Residents had to leave their homes in the morning and go to West Ashley, North Area, etc., to get to work, and then come back in the afternoon. If there was office space on Johns Island, it would alleviate traffic problems. He appreciated what Ms. Morris was doing because she could have just sold to housing developers.

Mayor Tecklenburg said, "Thank you. Yes, ma'am. If you've got some comments that are repetitive, something that someone else has said, if you don't mind moving us along, I'd appreciate that."

12. Catherine Weathers, resident of Johns Island, had been told this wasn't her business but it was because she was a resident. She understood Ms. Williamson's situation, however, she had an aging father who quickly needed to get medical help multiple times. The people need medical facilities on Johns Island.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

13. Scott Orselli, 3045-B Maybank Highway, stated that he knew Susan, and Steve (Morris), before he passed away. He was meticulous about the property and it was above-grade, and had been taken care of. He thought the best presentation for the property was to make an office or medical complex out of it, because it gave the opportunity for employment. It would also give people in the area something to utilize. Another 100 houses wouldn't do the trick.

Mayor Tecklenburg said, "Thank you. Yes, sir."

14. David Means, 3044 Cane Slash Road, stated that he had met with the applicant to review the plans. They had multiple plans with what they thought would be done with the property, and the current one was the one they liked the most. He and the other property owner would be in support of this if it wasn't for one detail, which was that in the bottom left there was a long piece of property. That piece of property would be a separate business park from the rest of the re-zoning. That concerned him because there was currently no other business on Cane Slash Road, and the properties wouldn't connect, so the only access would be from Cane Slash Road. If they approved this, they would be setting a precedence that it was okay to move forward with business on Cane Slash Road.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

15. Jamie Williams, 2030 Wildts Battery Boulevard, stated that 100 more homes would mean more traffic. Some people were leaving Johns Island to go to the doctor or their offices, and he would like to not have to leave to go to work.

Mayor Tecklenburg said, "Thank you sir. Yes, sir."

16. Rob Cauble, 3030 Maybank Highway, stated that he supported this. He ran a small service business on Kiawah and his office was in North Charleston. He fought traffic and then sent five vans back to John's Island to work on Kiawah. He had never met the developer or Ms. Morris, but they were good people. This was what they needed, and it would reduce traffic in the area. He stated there was nowhere, currently, to rent for his business.

Mayor Tecklenburg said, "Thank you so much. Would anyone else like to be heard? Yes, sir."

17. Alan Lambert, 3046 Cane Slash Road, stated that there wasn't any one person who owned Zelasko Drive. Of the three that did, two would go along with this, but Ms. Williamson wouldn't sell any of her property on Cane Slash Road. If the warehouse came in, it would be on Zelasko Drive, so he would see warehouses when he left his house. This area had always been residential. It seemed like this was a bad idea to put commercial buildings in a residential area.

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

18. Kathy Swanson, Plow Ground Road, stated that she loved how her home was right now and she knew it would change. That was okay, but this topic was a great example of what she wanted to see done when people were looking at re-zoning and adding to the Island. They should do it with thought on what was needed, instead of creating problems with more development.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to speak?"

No one asked to speak.

Mayor Tecklenburg said, "Alright, then it comes to Council."

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "Alright. Well, I've heard exactly what these guys want to do. We're talking about putting the job center there by moving it over about a half mile from where we had originally planned it and getting a medical complex on the Island which is kind of unique, putting rooms, putting warehouse space there for the people that work there where they don't have to come down in front of my house to get there by coming down Highway 17. It's going to be a job center, it's going to be a work center, it's going to provide jobs out there, and it's going to reduce the traffic, all of those things we talk about when we're talking Johns Island. I move we override what our Planning Commission has said and would like to vote this, please."

Councilmember Williams said, "Second."

Mayor Tecklenburg said, "We've got a motion to approve and a second. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Morgan, can you explain to us, it seems like its a hundred years ago when you explained this to us, but what was the reason for the Planning Commission voting to turn this down?"

Mr. Morgan said, "I think there was concern about the shape of the Business Park area, that it was more linear rather than a cohesive piece of land and, I think, it's tough to tell, the scale of these parcels here. These are many acre parcels, the whole site here is 26 acres. It's not like there are just 100-foot deep parcels, they're several hundred feet deep in through here and I think that without seeing that in person it was a little bit confusing for them and they felt like the configuration was not as good."

Mayor Tecklenburg said, "Mr. Morgan, this is currently in the County?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "So, this is coming into the City?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "Would there not be buffers or some kind of setback for the development for many residential properties?"

Mr. Morgan said, "Absolutely, and Business Park requires all of that for warehouses. It requires vegetative buffers and fences, and so you end up with a very attractive product as far as a Business Park goes."

Councilmember Shahid said, "Can I just follow up with one more question? What is directly across the street? Those are residential areas?"

Mr. Morgan said, "Here on Maybank?"

Councilmember Shahid said, "Yes."

Mr. Morgan said, "Fieldstone Center, yes, is right there and then I think there are some other houses. Some of those may be commercially zoned."

Mayor Tecklenburg said, "One of these gentlemen said he lived right across the street."

Mr. Morgan said, "Yes."

Councilmember Shahid said, "Okay, thank you."

Mr. Morgan said, "Did that answer your question?"

Councilmember Shahid said, "Yes."

Mayor Tecklenburg recognized Councilmember Moody.

A gentleman said, "Single-Family homes."

Mayor Tecklenburg said, "Single-Family homes are across the street."

A gentleman said, "Yes, sir."

Mayor Tecklenburg said, "That's one of the residents right there."

Councilmember Moody said, "Chris, before you sit down, what was the vote of the Planning Commission? Was it divided?"

Mr. Morgan said, "It is was unanimous. Yes, sir."

Councilmember Moody said, "5 to 4?"

Mr. Morgan said, "No, it was unanimous."

Councilmember Moody said, "It was unanimous?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "It was unanimous."

Mayor Tecklenburg recognized Councilmember Wilson followed by Councilmember Seekings.

Councilmember Wilson said, "Thank you. I will support being rezoned to a Business Park because this is the sort of balance that Johns Island has been asking for. We've been asking for the same thing on James Island, to be able to have these commercial areas on major corridors, and so I will support this. There was something else I was going to say and I can't think of it so I'll just let it go."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Mr. Morgan. I agree, if you're going to build all of these houses you've got have places for them to go work and go see the doctor and all of that stuff, I agree with all of that. I do have concern about one of the comments that was made about the backside of the property on Cane Slash Road. Is that all residential on Cane Slash Road?"

Mr. Morgan said, "Those are residences there and the road is here. This is where the road is, that's the road right-of-way."

Councilmember Seekings said, "Okay, and so you're going to be able to access from the south from the bottom and the top."

Mr. Morgan said, "The applicant should speak to that because I'm not certain of their final plans. We haven't had an actual layout of the site submitted."

Mr. Smith said, "Can I have the question again, sir?"

Councilmember Seekings said, "Well, I'm just trying to figure out how traffic is going to flow once this all goes in and whether or not you're going to add a traffic burden in a residential neighborhood as opposed to, and what is otherwise, a Commercial Corridor?"

Mr. Smith said, "No, sir. We would probably not until Zelasko Road could be completely improved. Most of our traffic would go out of the front of the property onto Maybank."

Councilmember Seekings said, "So, you say most of it but not all of it. Someone's going to get the burden."

Mr. Smith said, "We do have some properties on Zelasko that are part of this property. So, the minor part of the development would be on Zelasko."

Councilmember Seekings said, "A quick follow up. So, if we give this approval, it's still got to go back through TRC. It's still got some review."

Mr. Morgan said, "Absolutely. Yes, sir, and Design Review Board."

Councilmember Seekings said, "We can keep an eye on the whole traffic flow issue."

Mr. Morgan said, "There are other connections that are emerging here. Part of our Johns Island Plan is that there are multiple connections between Cane Slash and Maybank, Zelasko being one of them. Another one that has just been constructed, which is this Wilkes Barre, and I'm mispronouncing it, that's another connection that is now open between Cane Slash and Maybank. I should add, that there is Mixed-Use that's coming in that intersection of Cane Slash and Wilkes Barre."

Councilmember Seekings said, "Keep an eye on it."

Mayor Tecklenburg said, "Are there any other comments or questions from Council?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "What was staff's recommendation?"

Mr. Morgan said, "We were in favor of this because, again, we've been concerned with the loss of the job center location that was a little bit further to the west and so we felt like this was a good replacement area for that."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Are there any others?"

No one asked to speak.

Mayor Tecklenburg said, "Call the question."

On a motion of Councilmember Wagner, seconded by Councilmember Williams, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 3037 Maybank Highway and adjacent properties on Maybank Highway and Zelasko Drive (Johns Island) (26.436 acres) (TMS #313-00-00-075, 071, 072, 073, 231, 252 and 332) (Council District 5), be zoned Business Park and General Office (BP and GO) classifications. The property is owned by multiple owners.

Mayor Tecklenburg said, "Thank you all for being with us this evening, appreciate it. Why don't we take five minutes, I've got five minutes until 7:55 p.m., we'll start back at 8:10 p.m."

The August 15, 2017 regular meeting of City Council recessed at 7:55 p.m.

The August 15, 2017 regular meeting of City Council reconvened at 8:10 p.m.

Mayor Tecklenburg said, "Okay, I think we have a quorum back. So, the first order of business is to approve our minutes from June 20, 2017."

Councilmember Williams said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion to approve. Are there any comments, additions, or deletions?"

No one asked to speak.

On a motion of Councilmember Williams, seconded by Councilmember Mitchell, City Council voted unanimously to approve the minutes of the June 20, 2017 City Council meeting.

Mayor Tecklenburg said, "We're going to defer the July 11th minutes. They're not quite ready yet. Next, is our Citizens Participation Period. We have about 30 folks signed up for a 30-minute period. So, we're going to ask you to keep your remarks to one minute, please. I'll give you, or the Clerk will give you, a nod when you're at a minute. Number one is?"

The Clerk said, "The first person is Mohammed Idris."

Mayor Tecklenburg said, "Mohammed Idris."

1. Mohammed Idris stated that this week they had information from the Bible and the Koran which justified that if they wanted to find the people responsible for what they were experiencing as a people, to look at the religious community. They would find the devil and his hosts residing in full form. When they looked at the world they saw people fighting to the death, and they saw that the poor people were being deprived of the wealth.
2. Joyce Wagner stated that she had issues with spin-offs of the Palmetto Rose kids that individuals had to deal with in the downtown area. She had a shop in the Market, and many business owners had to deal with this. She had seen three different situations when she visited the Belmond. They carried guns, and were arrested every day. Business owners fought with them and they created obstacles for tourists and walkers and something needed to be done.
3. Shawn Crawford, Director of Security at Belmond Charleston Place, stated that they had several encounters with the young people and they were harassing the hotel guests and retail shoppers. The previous night they received a report that there was a robbery in the garage adjacent to the hotel where a young lady had gotten her pocketbook snatched from those guys. His purpose was to bring attention to the seriousness of the matter, and he hoped the City could do something to change it.
4. Marc Knapp stated that Councilmembers needed to start reading their ethic laws because passing cards out attached to campaign material, and living outside the county as a Councilmember was illegal. It concerned him that they had lost two Police Chiefs and that made him think there was a problem. CAJM was there for one reason and that was to create hate and discontent.
5. Carol Jackson stated that it was encouraging to people on James Island that they would be improving the Storm Water Management Ordinance, and so she

encouraged them to give that first reading. She had talked to the Planning Commission about Item M-1, zoning Brockman Drive to DR-1F, and she understood that there could be complexities with the deed that required multi-units on that property. She asked if they had to use it for multi-unit why they couldn't zone it to DR-12.

6. Cathy Swink stated that she wanted to talk about the spin-offs from Palmetto Rose Program. They had a petition and the individuals were accosting citizens, and were interfering with businesses. They were being threatened to be physically abused, and they were asking the City to do something about it. These weren't kids that were part of the program, but kids that were brought into the City, that were putting a bad light on the City. They didn't feel safe walking in the streets anymore.
7. Barry Newton, Manager of Charleston City Market, stated that they had a policy that no outside solicitation was allowed. Every day they were inundated with dozens of Palmetto Rose peddlers that would cuss out customers and threaten staff. When the Police showed up, they would run across the street. Hiring off-duty police officers worked a little bit, but it only sent them across the street where they blocked sidewalks.
8. Arthur Lawrence thanked the staff for coming to their neighborhood and explaining the height ordinance to the community. They needed something that everyone could follow, and it was a great help. He hoped that when it came for third reading, that City Council would pass it. They could always go back and tweak, but things would go awry if there wasn't anything in place. He wanted to say a special thank you to Councilmembers Lewis and Gregorie, who, after being called about a problem, helped the community.
9. Fred Whittle stated that he also supported the third reading for the BAR height ordinance. He appreciated the staff's willingness to work with people who needed adjustments made.
10. Dorothy Smith stated that she was there the month before in regards to changing a street to "Susie Jackson Lane", and she had never heard anything back from anyone. She was hurt because she thought she was doing a good job. She had been told that there were three Councilmembers against what she was doing, but she was going to continue to do her job and wasn't going to stop until the name was on Alexander Street.
11. Denise Dilligard Smalls stated that she was Susie Jackson's niece. They had brought a petition with around 19,000 signatures to the last meeting. Afterwards, they tried to get in touch with the Neighborhood Association president from Mazyck-Wraggborough who had been refusing letters. They tried to contact the Councilman for District 4 and hadn't heard anything. Ms. Dorothy Smith had a dream to change the street from "Susie Jackson" to "Susie Jackson Boulevard". The president said to change it to 'lane' or 'street'.

Councilmember Mitchell stated that he had spoken with the president of that neighborhood association. He had talked to Mr. Saunders and Mr. Saunders said he was going to ask the family to hold off on what they were doing because there was something else being worked on and they didn't want things to clash. He stated that

saying he was against this, wasn't the case. They were working on something bigger that the whole family would be proud of.

12. Jennifer Saunders thanked the City for making Charleston more resilient as far as growth, density, public transit, and bike/pedestrian lanes. On behalf of Best Friends of Lowcountry Transit and hundreds of other people who had trouble finding parking downtown, she thought that the CARTA budget was too small. They needed the increase in public transit.
13. William Hamilton stated that the CARTA budget didn't keep the promise they had made to the voters to give them better public transit. No one could tell him what would get better about the bus system next year, and that was what people wanted to know. They had talked about it getting better in ten years, but there were senior citizens and volunteers that time mattered to.
14. Robert Gurley, Preservation Society of Charleston, stated that the Society appreciated the opportunity to discuss the BAR amendments with the City staff. They had concerns still, but considered the ordinance to be a continuous document, and wanted to continue the conversation.
15. Capers Barr asked City Council to support the L-1 concerning Brockman Drive. The property wasn't suitable for use by his client. It wasn't the popular thing to do because of what was happening on John's Island, but restoring the opportunity to his client to use the property was the right thing to do.
16. Gail Jackson, niece of Susie Jackson, stated that they had dropped off letters for Councilmember Mitchell. They had also brought the letter to the Neighborhood Association President who had refused it. The President had stated that Councilmember Mitchell was against changing the street name. They wanted feedback on why it was an issue to change the street name.
17. Joanna Ormond stated that she was also there for the City Market where she had owned a business for 23 years. She had told the individuals coming to the Market with the roses that that they needed to leave the building and they had looked at her and said that she was ruining their sales. Customers were harassed and cursed when they didn't want a rose. The first place people came was to the Market or a carriage ride, and they couldn't welcome the people if they kept getting bombarded by delinquents.
18. Greg Moore, Capital Projects Manager of Citadel Facilities & Engineering, thanked City staff for everything they were doing regarding the re-zoning of heights and drawing attention to the Citadel campus which was originally proposed as four-story zoning. City staff had made a revision to change from three to four stories.
19. Rich Thomas stated that two days before Hurricane Matthew made landfall, there was one car waiting to leave John's Island and turn south on Hwy. 17 to follow the evacuation route and there was no problem evacuating. The new lane was being put in, but the light needed to have someone there managing it every morning and afternoon. They needed to fix the light, because traffic was backing up from the light to the bridge.

Mayor Tecklenburg said, "Thank you very much. Has anybody else signed up that spoke earlier that also intended to speak now?"

No one else asked to speak.

Mayor Tecklenburg said, "If not, we'll go on with our City Council meeting."

Councilmember White said, "Mayor, I just want to make a quick comment, if I can, specific to the comments regarding the, and I hate to even use the term the 'Palmetto Rose kids' because it's very clear that there are two different groups operating, those that are operating within the guidelines of the City's ordinances and have those licenses in the program, and then those who are not. Those who are not are clearly the ones who are creating problems. I received a number of e-mails and had some conversations with Market vendors and others about this and Dan Riccio has been involved and the Police Department, but moreover from the vendors, the residents who live in Ansonborough French Quarter are also feeling the impacts. These kids are coming in, they're jumping their fences, they're taking down their palm fronds, they're cursing at them, and they're causing vandalism. This issue with this group of kids is not just specific to the Market and the business owners, it is also into the neighborhoods and the residents. So, I know that Dan's been involved in it, and I know the Police Department has, but we definitely need to step up enforcement and start addressing this in a much more proactive way, moving forward."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mayor. I would like to reiterate that because I've experienced it. When I try to direct the kids to the appropriate place, the appropriate people to get the training so that they can be legal, it's not a good thing to do, Mayor. We really need to get a hold of this and a hold of this fairly quickly and since we are reacting to issues brought up during Citizens Participation, Susie Jackson is family. She is the grandmother of my nephews, so she does have someone on this panel that supports her. I'm not against anything that has been presented by the family. I've not been approached by one person in the family with regard to the naming of the street. I would support it, but no one in the family has approached me with it, just for the record."

Mayor Tecklenburg said, "Thank you very much. So, we are going to defer on our Board appointment until our next meeting, but we do have the appointment of a Code Enforcement Officer in the person of Dexter O'Connell, which needs Council approval."

Councilmember Seekings said, "So moved."

Councilmember Riegel said, "Second."

Mayor Tecklenburg said, "We have a motion and a second to approve Dexter O'Connell as a Code Enforcement Officer."

On a motion of Councilmember Seekings, seconded by Councilmember Riegel, City Council voted to approve the appointment of Dexter O'Connell as a Code Enforcement Officer for the Zoning Division.

---INSERT APPOINTMENT MEMO---

Mayor Tecklenburg said, "I just wanted to point out that I sent Council a memo regarding our performance assessment project plan. At this point, I know the evening is getting on so I'll be very brief, but as you all know, this is part of our performance improvement process that Susan Poteat is heading up, and she couldn't be with us this evening. We started by selecting a team of nine City staff individuals who went to Denver, Colorado for training in Mayor Hancock's Peak Academy which is a performance improvement program that he started. I admired the program and he graciously agreed to let our City's employees go through his training. They have been doing, as we call the 'SWOT analysis' of looking through each department and seeing what processes we might address first. As you all know, we had Julia Novak as our consultant to help along with the effort. Now that some areas have been selected, Julia worked with the team in order to create the memo for you, that came with my memo, and along with the timeline for the first nine projects that we would do. I'm very excited about it, although we're all getting a little tired this evening. This is really the beginning of a culture of process improvement in our City that I hope will continue on and on when we're all gone. The first item up, just as an example, is a review of our Technical Review Committee. I don't know about you all, but I've received a number of complaints about timing and performance of this review process. So, it was one of the first selected, but as you can see from the memo, we've got nine of them picked out, and we're excited to get started. I'm glad to answer any questions or hear any comments you may have about it."

Councilmember Moody said, "Thank you, Mr. Mayor. Two quick comments. Number one, I applaud the effort and the process that's being taken here. I ask that maybe we can get some information on the next nine projects. I can't necessarily, in my mind, judge whether these are the right ones, if I didn't know what's coming next. Is this a two-year or three-year process to kind of get through all of these issues?"

Mayor Tecklenburg said, "Well, the program is intended to be ongoing, and so at some point, we may or may not need a hired consultant to help us. Julia's contract is not limited by time, but probably by money, and I think we appropriately searched them out."

Councilmember Moody said, "The other thought that occurred to me, as I was going through each one of those things that the bias piece, the racial bias part that's going to be there, I would encourage that group to consider getting a new Police Chief onboard before. I think that would be a critical mistake to go through all of that without the Chief. Chief Taylor is a great guy, but whoever is going to replace him ought to have a fingerprint on that somewhere, not just be handed the process. That's just something I think should be considered."

Mayor Tecklenburg said, "Right. Well, there are kind of two trains on thought on that, and one is that perspective you've just stated; the other is that it's about the numbers, and it's about the process. So, one thought is that you get this going and get it done, and the new Chief would have it as a tool to move forward to address those recommendations that are made. It's not a matter of who's leading the force right now, but the processes that our department kind of operates under, so that's the other side of it. I don't know if I described that well."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm trying to understand the two schools of thought, not for an explanation, but prior to our Chief's retirement, as I understood, he was going to have a

heavy hand in the process. Now that he's gone, it would make sense that whether Chief Taylor puts in for it or, the new Chief, but whoever the new Chief is, I think he or she should have something to do with it and should have a heavy hand. As a matter of fact, the new Chief, depending on who he or she is, may have had some experience with such an audit from wherever they come from. I always say our Acting Chief, if he were to put in for it, has insight into the workforce on the ground today. So, I can see advantages both ways, but the idea of pushing it through a deadline without having a chosen leader, whether the Police Department, the Fire Department, or any of our major departments, from a proficiency standpoint is concerning. By the way, I thought are we only going to do bias in the Police Department, or are we going to look for increased efficiencies in the Police Department, as well? I understand this is a kind of work in process now. When I looked at the information you sent, I just saw the bias piece. Are we going to look at hopefully increasing potential performance aspects in the Police Department?"

Mayor Tecklenburg said, "The initial call, I think from citizens, the intent was to have the bias audit."

Councilmember Waring said, "Well, I understand that part, but I thought this performance review over the major departments of the City of Charleston was in addition to that, by the way. I think that's kind of specialized to the Police Department, but I thought the goal was to try to increase proficiency in all of the major departments."

Mayor Tecklenburg said, "Well, it is, but just like the example here in the Planning Department, we're taking the Technical Review Committee first. That's a particular process that can be reviewed and improved, and it's separate from some other process that the Planning Department has. So, that's why I say that this is a cultural shift for us, a cultural change, that I hope will go on for years and years, that the City will always be looking at how we're doing business and trying to make it better."

Councilmember Waring said, "I understand that part, but back to the Police Department, is that the only aspect of the Police Department we're going to look at, or are there other aspects in the hopes to try, and I'm just saying the Police Department because all I saw was the racial bias piece in there?"

Mayor Tecklenburg said, "Right."

Councilmember Waring said, "I was thinking it was going to be, for example, for the Fire Department, the Police Department, the Public Works Department, and picking up our Building Inspections Department. Hopefully, we get some economical scales by increasing proficiency in all of the departments. Am I thinking wrong about that? Is that going to be the only aspect?"

Mayor Tecklenburg said, "No, you're right. It's just you can't do them all at once."

Councilmember Waring said, "Are there going to be other aspects about the Police Department that this performance review includes?"

Mayor Tecklenburg said, "Sure, yes. So, we've got nine here that we're proposing to start with, and the timeline is proposed. It's not set in stone, and we'll get a report in a minute from Public Safety about getting a recommendation for the expert that we're going to have assist with the police effort. So, that timeline might shift a little bit and run into when our new Police Chief is hired."

Councilmember Moody said, "As far as the 12 or 13 weeks, would a couple of those be going on concurrently, or would they be kind of end to end?"

Mayor Tecklenburg said, "Some would be concurrent. If you look at this graph, here, you can see that we kind of get three started pretty much at once. I think that was all they thought they could handle at one time."

Councilmember Moody said, "I missed that."

Mayor Tecklenburg continued, "Then, they kind of go and start one at a time after that for awhile. This whole timeframe, I think, is about a year and a half, or would take us through the end of 2018."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I have more of a question. In looking at the bias aspect of the Police Department, it appears as though we're only looking at stops. Will the bias go beyond stops?"

Mayor Tecklenburg said, "It will because, as she says, 'the scope is not set,' and one of the things that will be the initial thing to do is meet with parties that have an interest, and the Police Department, Chief Taylor, Council, and even the CAJM group, to get their input on what aspects should be studied and be part of the scope. Ms. Novak has committed to meet with the CAJM group and fully hear them out and incorporate their comments and suggestions into the audit."

Councilmember Gregorie said, "Okay."

Mayor Tecklenburg said, "Alright. Thank you very much. We're going to proceed with that. It doesn't require a vote. This was just for information. So, next, are our Council Committee reports, and first up is our License Committee, that would be Chairman Gregorie."

Councilmember Gregorie, Chair of the License Committee, said, "The Licensing Committee met on July 21st at 3:00 p.m. We had one issue that we have deferred, so there is no action for this body at this time."

Mayor Tecklenburg said, "Alright. Chairman Mitchell of Community Development."

Councilmember Mitchell, Chair of the Community Development Committee, said, "Community Development met on July 19th, and we had four different items. Items J.2.(a) and (c) were deferred, and Item J.2.(d) was for information only. We only approved Item J.2.(b), which is approval for the 2017-2018 Community Development Block Grant and the HOME funds. So, I would like to make a motion on that."

Councilmember White said, "Second."

Mayor Tecklenburg said, "We have a motion and a second to approve the budget for Urban Development Action Grants."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Mr. Chairman, just to make sure the record is clear that we include those amendments that we have asked for to the Block Grants. I just want to make sure the amendments are included."

Councilmember Mitchell said, "Yes, as amended."

Mayor Tecklenburg said, "As amended. Yes, sir."

On a motion of Councilmember Mitchell, seconded by Councilmember White, City Council voted unanimously to adopt the Committee on Community Development Report as amended:

---INSERT COMMITTEE ON COMMUNITY DEVELOPMENT REPORT---

- a.) Review of the Draft Bond Allocation Plan (*Deferred*)
- b.) Review and approval of the 2017-2018 Community Development Block Grant (CDBG), HOME Investment Partnerships and Housing Opportunities for Persons with Aids (HOPWA) Budgets (as amended)
- c.) East Side Redevelopment TIF Allocation Plan (*Deferred*)
- d.) Update on the funds from the Urban Development Action Grant (INFORMATION ONLY)

Mayor Tecklenburg said, "Next, Chairman Wilson, Public Safety."

Councilmember Wilson, Chair of the Public Safety Committee, said, "Thank you, Mr. Mayor. The Committee on Public Safety met on Friday, August 4th, nothing like a Friday afternoon meeting. We heard updates on the Police and Fire Chief searches, and for those of you who might not be aware, we are using the same firms as we did before for previous searches. We're using ESCI for the Fire Chief, that is the same firm that helped us find Chief Carr and Chief Brack, and we're using a firm called PERF for Police, and that is the firm that found us Chief Mullen. So, the Committee was very pleased with those decisions, those recommendations, and our HR staff is finalizing the contracts with them right now. Then, we'll have a more accurate timetable of exactly what we're looking at in the future."

Regarding Novak and subcontractors conducting an audit, Ms. Novak brought us three names. We took no action. The three firms that she brought to us for consideration are a firm called RTI, out of the Research Triangle in North Carolina, and then two individuals, Dr. Jeff Rojek, Ph.D., with the University of New Mexico-El Paso, and Dr. Robin Engel, with the University of Cincinnati. We took no action. Several members of the Committee felt they did not have the time to fully digest the information, and we didn't vote on it."

Mayor Tecklenburg said, "Alright. I think that's for information only, not requiring any action of Council. I will share that the folks that are helping us with the search for the Fire Chief will be here tomorrow and beginning their work, and then PERF will be here, I think, the last week of August, and will be getting started on their work. So, we're able to move ahead with that. Next is our Committee on Public Works, Chairman Williams."

Councilmember Williams said, "Yes, the Committee on Public Works met on Monday evening. We had two major items, but before I do that, for those Councilmembers who were not able to be at the last Council retreat, I think it was one of the best retreats that I attended, because it did such a tremendous job. Mark and Laura did such a tremendous job with the people they invited to talk about our resiliency issues. I can tell you this much. This Mayor, this Council, and this Committee, our heads are not in the sand on the issue of water. We understand it, we're moving forward on it. Most recently, we asked Laura and her staff to work on the ordinance to amend some of our old flood plans. So, tonight, I'm going to ask you to give first reading to that, but again, we are where we need to be. On Tuesday night, Laura met with the Grand Oaks Community, along with the Mayor, Councilmember Riegel, and the consultant who is now doing the Church Creek moratorium work. I tell you, it was very impressive to see the issues that we have asked them to address, the issues that the community asked them to address, and they're working hard to bring us some recommendations back in October. I'm just so pleased that we're moving forward. Our heads are not in the sand in this City about our issue of water and resiliency, so I ask for approval of the Committee Report and approval for the first reading of the ordinance. Would that be appropriate, Mayor?"

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Correct. The amendment to amend our stormwater management and flood control, and I want to commend Councilmember Waring for pushing this matter for some months now, maybe longer, and we finally have something on the table here that will help with making sure that properties, when they're redeveloped, help come up to speed for drainage requirements. Are there any questions or comments?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to compliment you, the staff, and the leadership of Public Works. That piece where the older developed properties right now are grandfathered, when it comes to drainage, a lot of the old shopping centers, or older shopping centers I should say, you would think their drainage would run to the main highways, Sam Rittenberg, Savannah Highway, and St. Andrews Boulevard, but a lot of them run through neighborhoods, and the neighborhoods end up getting flooded. They do not have retention ponds or a mechanism of holding the water on their property for a certain period of time before it's released into the public system. So, that's what's in our package today. It's a little more than a year's worth of work. So, Ms. Cabiness and her team have done an excellent job. I think we all think it will work because it passed the Committee unanimously. So, thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you. Are there any other comments or questions?"

No one else asked to speak.

On a motion of Councilmember Williams, seconded by Councilmember Mitchell City Council voted unanimously to adopt the Committee on Public Works and Utilities Report as presented:

---INSERT COMMITTEE ON PUBLIC WORKS AND UTILITIES REPORT---

a.) Acceptance and Dedication of Rights-of-Way and Easements

- (i) Sidewalk at Howle Avenue** – Approval to notify SCDOT that the City intends to full maintenance responsibility for the 5-linear-foot- wide by 208-linear-foot

long concrete sidewalk, and two ADA ramp with detectable warning assemblies within the SCDOT maintained right-of-way on Howle Avenue (S-10-631). Letter and map attached.

- Letter
- Map

(ii) Sidewalk at Jenkins Road – Approval to notify SCDOT that the City intends to full maintenance responsibility for the 5-linear-foot- wide by 229-linear-foot long concrete sidewalk, and two ADA ramp with detectable warning assemblies within the SCDOT maintained right-of-way on Jenkins Road (S-10-1690. Letter and map attached.

- Letter
- Map

(iii) Church Creek Landing - Acceptance and dedication of Town Woods Road (50-foot right-of-way [436 LF]), Boykin Lane (50-foot right-of-way [373 LF]), and Waterfowl Lane (42-foot right-of-way [660 LF]). There are 42 lots. All infrastructure has been completed.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plat
- Exclusive Storm Water Drainage Easements (2)

(iv) Grand Oaks, Phase 4 - Acceptance and dedication of Sterlington Way (50-foot right-of-way [357 LF]). There are 9 lots. All infrastructure with the exception of sidewalks has been completed, and the sidewalks are bonded.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plat
- Exclusive Storm Water Drainage Easements

b.) An ordinance to amend Chapter 27 of the Code of the City of Charleston (Stormwater Management & Flood Control) by adding to Sec. 27-2 new definitions governing redevelopment within the City of Charleston, by adding a new part to Sec. 27-3 governing redevelopment, by amending Section 27-25 to address Interim Redevelopment Standard Limitations, amending Section 27-28 to allow for Interim Design Standards described herein exclusive of the existing Stormwater Design Standards Manual, and renumbering the remaining sections to accommodate the addition of the new Section 27-28 described herein.

First reading was given to the following bill:

An ordinance to amend Chapter 27 of the Code of the City of Charleston (Stormwater Management & Flood Control) by adding to Sec. 27-2 new definitions governing redevelopment within the City of Charleston, by adding a new part to Sec. 27-3 governing redevelopment, by amending Section 27-25 to address Interim Redevelopment Standard Limitations, amending Section 27-28 to allow for Interim Design Standards described herein exclusive of the existing Stormwater Design Standards Manual, and renumbering

the remaining sections to accommodate the addition of the new Section 27-28 described herein.

Mayor Tecklenburg said, "Next, our Committee on Traffic and Transportation, Chairman Seekings."

Councilmember Seekings, Chair of the Traffic and Transportation Committee, said, "Thank you, Mr. Mayor and fellow Councilmembers. The Committee on Traffic and Transportation met today at 3:00 p.m. It was six hours ago. We had an excellent meeting. We began by welcoming to the first meeting our new Director of Traffic and Transportation, Keith Benjamin. He jumped right into the fray, which you will hear about in just a second. We had one Application for Original Certificate of Public Convenience and Necessity, which was a limo. That passed unanimously. We then heard from Mr. Riccio on a request for Transportation Route Alterations & Closures for the 2017 Eclipse. You all have your glasses with you, and Mr. Riccio has been working out ahead of that. What he asked us to do was essentially suspend downtown bus and carriage tours for the entire day on Monday. This was taken to the industry, taken to the businesses, and brought to our Committee. It passed unanimously, so if you're looking for a bus or carriage tour on Monday during the eclipse, or any time before or after, you will not get one, assuming this body passes that.

Next, we took up the amendment of our, we elected to shorten it up a little bit, our Carriage Zone Ordinance. We have five zones. As you all know, we've been working on a pilot program to get ingress and egress out of the four principle zones and the fifth zone. We have reached a resolution on that, and we found that ingress and egress, that everyone seems, at least for now, to be able to live with around downtown with the carriage tours. It's not perfect, it needs some work, but I want to thank Mr. Riccio for his really hard work. He spent an enormous amount of time with the carriage companies, with the citizenry, and with the businesses to make sure that the very complicated transportation issue, which is carriages around the congested downtown Charleston area, operate as efficiently as they possibly can. He brought to us a suggestion and a recommendation which was, again, adopted unanimously. Next, we had Mr. Benjamin, and the very first thing we asked him to do as the Director of our Traffic and Transportation Department was not about sidewalks or something small. It was to bring us a Citywide Transportation Plan. He came with Kathryn Basha, from the COG, and for information purposes only, you may all recall that this body appropriated \$350,000 for different studies through the Traffic and Transportation Department. A hundred thousand dollars of that has been dedicated to teaming up with the COG to do a Regional Transportation Study to come up with the Regional Transportation Plan with us, your Department of Traffic and Transportation having a large input into that and, specifically, when the Regional Plan is adopted, there will be 13 projects identified for Charleston, not just downtown, the entire City of Charleston that will come as graded, stratified recommendations, along with the Regional Plan. It was an excellent presentation, and we can certainly get it brought to this Council if you all ask.

The next issue we heard and adopted unanimously was a very slightly amended Bike and Pedestrian Advisory Committee Ordinance, and populating that Committee, which has been inactive now for two years. The last thing was, and this is something I encourage everybody on this Council to get very familiar with, Jennifer Bihl, our independent PE from Bihl Engineering came and gave us a report on the Upper Peninsula Study. What essentially that is, is a study looking at the interaction on our roads between roads, traffic, the southern exit, and the southern long-term plan for train activity in and around Upper King, Meeting, and the upper area. It's very complicated, it's enormously expensive. The early part of the study shows that there is a need to build above upgrade bridging to get across the railroad tracks. If not, we may

actually have, I think I heard her say today, in the future, traffic backed up at intersections, between cars and trains in downtown Charleston, up to 3,000 to 5,000 feet worth of traffic at a time, a mile of traffic backed up in and out of the City. It was a fascinating meeting. We need action, and we need action to approve the Certificate of Convenience for the limo, to request the suspension of bus and carriage tours on Eclipse Day, to approve the ordinance for the carriage tours, and to approve the change in the Bike and Pedestrian Committee. All of these things, by the way, at our Committee today passed unanimously, and I would ask that they be approved. Thank you very much."

Councilmember Moody said, "Second."

Mayor Tecklenburg said, "We have a motion and a second. Is there any discussion on any of those items?"

Councilmember Shahid said, "Just for clarification, I've heard different rumors about what's going to happen on Eclipse Day. Are bridges being closed? I've heard all kinds of stories and things about that."

Mayor Tecklenburg said, "The sidewalk on the Ravenel Bridge, the pedestrian sidewalk, will be closed."

Keith Benjamin, Director of Traffic and Transportation said, "Good evening, everybody. So, we have specific hours, we can send those out to you, and there will be specific hours that the Bike and Pedestrian Bridge on the Ravenel Bridge will be closed. We'll have an officer, as well as one of our parking enforcement folks, at the foot of the bridge for those who might not know that the time has shifted, with a golf cart to take people back and forth if necessary. We're just trying to make sure that our bridgeways are as safe as possible for the amount of people who are going to be trying to watch what's going on."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Michael, an easy question. Did I understand you to say that the bus service was going to be suspended on Monday?"

Mayor Tecklenburg said, "No, no, no."

Councilmember Seekings said, "I did not say that, just tour buses and carriage tours."

Councilmember Riegel said, "Just tour buses. Okay, I wanted to be sure that was clear."

Councilmember Seekings said, "Just a point of clarification, CARTA is going to suspend service for about 25 minutes during blackout and after. They are going to be providing all of our riders who happen to be on the buses when they pull over the glasses, so they can watch the eclipse as they're traveling around downtown."

Councilmember Riegel said, "Thank you, Michael."

Councilmember Seekings said, "CARTA will be up and running Monday, except for a very short period."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I think the top of the garages are supposed to be closed also?"

Mayor Tecklenburg said, "That's correct. For safety reasons, we're not allowing large gatherings on top of the garages. All of our parks will be open and will be equipped with Port-o-Lets and water, and we welcome folks to use the park closest to where they live and our visitors to use our parks and even places like the Cooper River Bridge open area. Across from MLK Park, we're going to have facilities there and water. So, every kind of open greenspace that we can find in the City, we're equipping for extra visitors and urging our citizens just to try to stay close to home and enjoy the City park near where you live. Are there any other questions or comments on approving those four matters from the Traffic and Transportation Committee?"

On a motion of Councilmember Seekings, seconded by Councilmember Moody, City Council voted unanimously to adopt the Committee on Traffic and Transportation Report as presented:

---INSERT COMMITTEE ON TRAFFIC AND TRANSPORTATION REPORT---

a.) Application for Original Certificate of Public Convenience and Necessity:

-- Bess Way Transportation, LLC (Limo)

b.) Request for Transportation Route Alterations & Closures on the 2017 Eclipse (INFORMATION ONLY)

c.) An ordinance to amend Chapter 29, Article V, Sec. 29-203 (9), (10), Sec. 29-206 (c), 29-208 (a), Sec. 29-208 (c) and (c) (1), Sec. 29-210 (a), and Sec. 29-210 (b) of the Code of the City of Charleston pertaining to hours of operation for animal-drawn vehicles, zones of operation for animal-drawn vehicles used for purposes of touring and the number of medallions to be issued for each zone and adopting a map for zones of operation.

d.) Citywide Transportation Plan (INFORMATION ONLY)

e.) Bicycle and Pedestrian Advisory Committee Ordinance –

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 2, Sections 176, 177, 178 and 179, to change the organization of the Committee, to amend the Committee's role, and to change the terms of membership.

f.) Upper Peninsula Study Presentation (INFORMATION ONLY)

First reading was given to the following bills:

An ordinance to amend Chapter 29, Article V, Sec. 29-203 (9), (10), Sec. 29-206 (c), 29-208 (a), Sec. 29-208 (c) and (c) (1), Sec. 29-210 (a), and Sec. 29-210 (b) of the Code of the City of Charleston pertaining to hours of operation for animal-drawn vehicles, zones of operation for animal-drawn vehicles used for purposes of touring and the number of medallions to be issued for each zone and adopting a map for zones of operation.

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 2, Sections 176, 177, 178 and 179, to change the organization of the Committee, to amend the Committee's role, and to change the terms of membership.

Mayor Tecklenburg said, "Next, is our Audit Committee."

Councilmember White said, "Move for approval."

Councilmember Waring said, "Second."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I just want to point out, to everybody around this table and our staff, the City of Charleston maintains an excellent AAA Bond rating and our excellent Auditor was very optimistic about the future of our City."

Mayor Tecklenburg said, "Good. Thank you. Next, is our Committee on Ways and Means."

The Clerk said, "Mayor, we have to vote on just a portion of the Audit Report."

Councilmember Seekings said, "Yes, the Internal Audit."

Mayor Tecklenburg said, "Oh, on the Internal Audit portion, we do have to vote on to approve that report from Robert Majernik."

On a motion of Councilmember White, seconded by Councilmember Waring, City Council voted unanimously to adopt the Audit Committee Report as presented:

---INSERT AUDIT COMMITTEE REPORT---

(Annual Internal Audit Report)

Mayor Tecklenburg said, "By the way, Robert is gone now, but he's terrific. I mean, he has these predetermined audits, you know, that he does. But if something comes up we just need a special look at, he's just terrific to go take a closer look at things. I enjoy working with him."

Councilmember Moody said, "I noticed in his report that there's like 240 something hours that were spent on administrative stuff. Does that mean that he was doing administrative work? Can we get him some help?"

Mayor Tecklenburg said, "He does have an assistant."

Councilmember Moody said, "He does? Okay."

Mayor Tecklenburg said, "Yes sir."

The Clerk said, "I think that included his audits, when he said administrative. I don't think it was just that type of work."

Councilmember Moody said, "I didn't know exactly what that administration was, because he accounted for it. So many hours external, internal, this kind of stuff—"

Mayor Tecklenburg said, "He keeps track of everything, but he does happen to be out for a few weeks, but he normally has an assistant. Okay, Committee on Ways and Means."

Councilmember Lewis said, "Move for approval of the report."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion and second on that. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the Committee on Ways and Means Report as presented:

---INSERT WAYS AND MEANS REPORT---

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval of sales tax adjustment to previously approved purchases as a result of the Charleston County Half-Cent Sales Tax increase

(CARTA FY2018 Budget

(Planning, Preservation, and Sustainability: Approval to submit the 2017 Southeast Sustainable Communities Fund grant application to 1) assess and improve current conditions to enable renewable energy solutions to flourish in Charleston to mitigate climate change, and 2) specifically retrofit low income households with energy upgrades, climate adaption upgrades, and renewable energy to develop community-based best practices and approaches all can benefit from. No City match is required.

(Office of Cultural Affairs: Approval to apply for funding from the Gaylord & Dorothy Donnelley Foundation Lowcountry Artistic Vitality Grant. Awarded funds are based on the GDDF Board's recommendations. Funds will be used to support local artists and arts organizations in Charleston during the Piccolo Spoleto Festival, MOJA Arts Festival and Free Verse Festival. Due to time constraints, this application was submitted on July 28th. No City match is required.

(Office of Cultural Affairs: Approval to accept a grant award in the amount of \$2,500 from the Jerry and Anita Zucker Family Endowment Fund. Funds will be used to support outreach programs of the 2017 Piccolo Spoleto Festival. No City match is required.

(Office of Cultural Affairs: Approval to apply for funding from SC Humanities in the amount of \$3,000. Funds will be used to support programs of the Free Verse Festival. Due to time constraints, this application was submitted on August 14th. A City match in the amount of \$3,000 is required. Matching funds will come from paid admissions and donations.

(Office of Cultural Affairs: Approval to apply for funding from the South Carolina Arts Commission in the amount of \$2,500. Funds will be used to support accessibility components of the 2017 MOJA Arts Festival. A City match in the amount of \$2,500 is required. The match will come from corporate sponsorships and paid admissions.

(Mayor's Office for Children Youth and Families: Approve a grant application to receive up to \$1,000 to engage a minimum of 250 youth throughout the Charleston Community in service-learning, community service and volunteerism. No City match is required.

(Mayor's Office for Children Youth and Families: Approval to submit a grant to the Corporation for National and Community Assistance for the AmeriCorps VISTA project.

- No City match is required. The cost share agreement funds are provided by site fees.
- (Police Department: Approval of a new agreement regarding provision of law enforcement services to Charleston Housing Authority for 2018 and beyond. The current agreement expires December 31, 2017.
- (Parks: Approval to deposit the Keep America Beautiful Lowes Community Partnership Grant check in the amount of \$5,000 for use in the creation of a pollinator garden with Enough Pie. No City match is required.
- (Parks-Capital Projects: Approval of Fee Amendment #1 to the Professional Services Contract with Liollo Architecture, Inc. in the amount of \$121,815 for the Savannah Highway Fire Station (FS #11). This amount is for changes in the project scope, project limits and construction budget to include a Command Training Center. The approval of the Fee Amendment will increase the Professional Services Contract by \$121,815 from \$501,900 to \$623,715. The funding sources for this project are: 2015 Installment Purchase Revenue Bond (\$8,369,524) and proceeds from sale of real estate (\$1,135,607).
- (Parks-Capital Projects: Approval of a Purchase Request with Sole-Source Justification for a CIAC/OWIP Agreement with SCE&G in the amount of \$52,622.86 for a high pressure gasline relocation for the Savannah Highway Fire Station (FS#11). Currently, a 10" SCE&G gasline bisects the site and its relocation would accommodate the most optimal placement of the station and should be executed before the start of construction on the building in 2017. The CIAC/OWIP will obligate \$52,622.86 of the \$9,505,131 project budget. The funding sources for this project are: 2015 Installment Purchase Revenue Bond (\$8,369,524) and proceeds from sale of real estate (\$1,135,607).
- (Parks-Capital Projects: Approval of the Joseph P. Riley, Jr. Waterfront Park Dedication Construction Contract with Wildwood Contractors, Inc. in the amount of \$212,615 for the replacement for the existing seatwalls along Vendue Plaza and Adgers Wharf with new engraved granite seatwalls. Additionally, new brass inlay lettering will be introduced in the existing pillars at five locations. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved budget. Approval of this action will institute a \$350,000 project budget of which the \$212,615 construction contract will be funded. The funding source for this project is the Waterfront TIF (\$350,000).
- (Parks-Capital Projects: Approval of Bender Street Professional Services Contract with Stantec Consulting Services, Inc. in the amount of \$109,905 (\$106,905 plus \$3,000 in reimbursables) for the design of Bender Street Park in the Maryville/Ashleyville neighborhood. The Professionals Services Contract will obligate \$109,905 of the \$1,850,025 project budget. The funding sources for this project are: 2015 Land Sales (\$350,025) and Hospitality Funds (\$1,500,000).
- (Public Service: Approval of Addendum #19 in the amount of \$50,000 for Woolpert, Inc. to perform continued management support in the Church Creek Special Stormwater Management Area to include ICPR stormwater model updates, review of design/model calculations, design services, verification surveys, attendance at client/public meetings, and other related duties.
- (Public Service: Approval of B&C Land Development to repair a broken storm drain in the amount of \$46,512 on Savage Street between Rutledge and Broad Street. The work was performed as an emergency repair due to the need to prevent possible damage to the surrounding streets and properties.
- (Public Service: Approval of Spring/Fishburne Drainage Improvements Project Design Contract Amendment #15 in the amount of \$1,078,588 to the original design contract with Davis & Floyd for services supporting Phase 3 (Tunneling) and Phase 4 (Wetwell and Outfall). Phase 3 services include archaeological monitoring/testing and mitigation

project management. Phase 4 support services include project administration, design review and update, pre-qualification of subcontractors, construction budget and schedule, project bidding, and other supplemental services.

- (Traffic and Transportation: Requesting authority for Mayor to execute Memorandum of Understanding between the City of Charleston and BCDCOG, amending the CHATS Long Range Transportation Plan to provide reimbursement to BCDCOG for services to be performed by Stantec related to the City of Charleston's Comprehensive Transportation Plan. The amount of reimbursement is \$100,000. BCDCOG will provide contract management
- (Mayor and City Council approval is requested for the submission of the Application for Federal Assistance (SF 424 Forms) and the corresponding documents to the Department of Housing and Urban Development (HUD) for the 2017-2018 program year. Attached are the 424 Forms, the 2017-2018 Annual Action Plan, HUD certification forms and the approved budget. This request has been coordinated with the Community Development Advisory Committee and the Community Development (CD) Committee of City Council. The CD Committee gave final approval to the HOPWA, HOME and CDBG budgets presented herein. Additionally, approval is requested for the execution of contracts for each organization based on the approved budgets. The contracts will be reviewed and vetted by City of Charleston Corporation Counsel prior to the dissemination of the contracts to the nonprofit agencies. Annual Action Plan with the components detailed above are due to the Department of Housing and Urban Development by August 16, 2017.
- (Request approval for the Mayor to execute the License Agreement between the City of Charleston and the South Carolina State Ports Authority allowing the State Ports Authority the right to enter City property on Daniel Island known as Parcel EE, Phase 2 (45.976 acres) for the purpose of site preparation in anticipation of the receipt of dredge materials. The property is owned by the City of Charleston. (Parcel EE, Phase 2; TMS: 277-00-00-003)
- (Request approval for the Mayor to execute the Purchase and Sale Agreement between the City of Charleston and the South Carolina State Ports Authority of the property on Daniel Island known as Parcel EE, Phase 2 (45.976 acres) for \$1.5 million. The property is owned by the City of Charleston. (Parcel EE, Phase 2; TMS: 277-00-00-003) [Ordinance]
- (Request approval for the Mayor to execute the Amended and Restated Public Improvements Infrastructure Agreement governing the expenditure of TIF funds for public infrastructure improvements in the Magnolia development. The agreement requires the developer, Ashley River Investors, LLC, to construct the City's public service facility, whereupon the 99 year lease the City has on Milford Street facility can be terminated. (Magnolia TIF District) [Ordinance] (Deferred)
- (Request approval for the Mayor to execute the First Amendment to Development Agreement governing the Magnolia development. (Magnolia Development; multiple parcels totaling approximately 182 acres of real property west of the King Street Extension) [Ordinance] (Deferred)
- (Request approval for the Mayor to execute the Permanent Easement Agreement with SCE&G to facilitate the underground electrical line on the City's property at 180 Lockwood along both Fishburne Street and Lockwood Boulevard. The property is owned by the City of Charleston. (180 Lockwood Boulevard; TMS: 460-00-00-013)
- (Consider the following annexations:
- 2210 Weepoolow Trail (TMS# 353-12-00-005) 0.33 acre, West Ashley (District 2). The property is owned by the Stephen & Sheri Wenger.
 - 2000 Indian Mound Trail (TMS# 353-12-00-006) 0.34 acre, West Ashley (District 2). The property is owned by Judy G. Markowitz Living Trust.

- 1622 Boone Hall Drive (TMS# 353-14-00-136) 0.34 acre, West Ashley (District 7). The property is owned by Amy Brunson.
 - 1848 Sandcroft Drive (TMS# 353-14-00-216) 0.28 acre, West Ashley (District 7). The property is owned by SC Renovation Group.
- (Approval of a contract with NBM Construction Co., Inc. for temporary shoring and protection of the Read Brothers Building located at 593 King Street (*added at the Committee on Ways and Means meeting*))

First reading was given to the following bills:

An ordinance authorizing the Mayor to execute on behalf of the City a Purchase and Sale Agreement with the South Carolina State Ports Authority Pertaining to lands owned by the City on Daniel Island, measuring and containing 45.976 acres, more or less, and designated as "Parcel EE, Phase 2" on that certain plat by Southeastern Surveying, Inc. entitled "A subdivision plat of a portion of Daniel Island owned by Harry Frank Guggenheim Foundation, Daniel Island Development Company and the City of Charleston located in the City of Charleston Berkeley County, South Carolina" recorded in the Berkeley County Register of Deeds in Plat Cabinet M, Pages 309-312, to include the authority to execute any and all deeds or other documents as may be necessary to consummate the sale of the property subject to the Purchase and Sale Agreement.

An ordinance to provide for the annexation of property known as 2210 Weepoolow Trail (0.33 acre) (TMS# 353-12-00-005), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by stephen & sheri wenger.

An ordinance to provide for the annexation of property known as 2000 Indian Mound Trail (0.34 acre) (TMS# 353-12-00-006), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by Judy G. Markowitz Living Trust.

An ordinance to provide for the annexation of property known as 1622 Boone Hall Drive (0.34 acre) (TMS# 353-14-00-136), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Amy Brunson.

An ordinance to provide for the annexation of property known as 1848 Sandcroft Drive (0.28 acre) (TMS# 353-14-00-216), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by SC Renovation Group.

The Clerk said, "We deferred the Magnolia items."

Mayor Tecklenburg said, "So, this is unique because we have a bill up for the third reading, which we don't normally do this, but of course on this matter we had determined to separate second and third reading."

Councilmember Mitchell said, "Move for approval of K-1 and K-2."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Then we delayed it another month. We have a motion to approve and a second. Of course, this is the matter of our reform to the BAR and the height districts in the City of Charleston. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, I know the hour's late, but this has been an enormous piece of work that was done by a lot of people, including this Council which was very involved. Rarely do we have something that comes up in three separate readings, once deferred. I want to thank Mr. Lindsey, Mr. Morgan, and all the staff. The amount of interaction they had with Preservation groups, with Council, with individual home owners, the Charlestowne Neighborhood Association and their staff. This was an enormous piece of work. It really is a complete change from what we've ever seen before and I think it will be transformative for the City, and I want to congratulate you, Jacob, for your incredible work. It wasn't easy when you get developers, home owners, preservationists to all agree on something. That probably, Mr. Mayor, I think, is the first time that has ever happened in the history on this ordinance, so I just want to congratulate everyone."

Mayor Tecklenburg said, "Well, thanks. I would add my thanks and appreciation to, particularly, Frances Cantwell, Josh, and Jacob. I also know that Marina Khoury is with us tonight, who is our chief architect of all of this is, and Marina, you did just a terrific job for us. We have the oldest preservation ordinance in America, and we're so proud, but every 80 years or so it's time to, you know, dust it off and, you know, update it a little bit. It was probably a little overdue and so, it took some extra effort and time. We're so proud of it. Did you want to address Council?"

Ms. Cantwell said, "I just wanted to, if I can be clear, there was a motion for approval, but in your packet there is an ordinance that is suggested for third reading, and those have the tweaks that we have made since second reading, as a result of meetings with the neighborhood. So I want to ask if that is the ordinance you all are asking for."

The Clerk said, "Yes, they have those."

Mayor Tecklenburg said, "Those are the ones. As amended. As you all know, we're going to come back in 6 months and 12 months, just in case there's some adjustment that needs to be made after the BAR gets going and uses the new rules. They might determine 'gee, that isn't quite right, let's do it this way.' We'll come back to you and update it as needed. Are there any further questions or comments?"

No one asked to speak.

On the motion of Councilmember Mitchell, seconded by Councilmember Gregorie, two (2) bills (Items K-1 through K-2) received third reading and were engrossed for ratification:

2017-084 AN ORDINANCE TO AMEND PART 6 – OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO, AMONG OTHER MATTERS, ADD THE HISTORIC CORRIDOR DISTRICT, ADD OR MODIFY DEFINITIONS, ADOPT PRINCIPLES TO GOVERN NEW CONSTRUCTION AND RENOVATION, ESTABLISH AN APPLICATION PROCEDURE AND

ADDRESSING THE POWERS AND DUTIES OF THE BOARDS OF
ARCHITECTURAL REVIEW. **(AS AMENDED)**

2017-085 AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF
CHARLESTON (ZONING ORDINANCE) PERTAINING TO SEC. 54-306, OLD
CITY HEIGHT DISTRICTS. **(AS AMENDED)**

Mayor Tecklenburg said, "Now, bills up for second reading."

Councilmember Mitchel said, "L-1 through L-11."

Mayor Tecklenburg said, "We're going to take 1-11, other than the fact that 7 and 8 have been deferred. So, we're really taking 1-6, and 9, 10, and 11 together. Is that correct, Madam Clerk?"

Mayor Tecklenburg said, "Okay."

Councilmember Mitchell said, "You said something was deferred?"

Mayor Tecklenburg said, "But 7 and 8 were deferred, correct, Madam Clerk? Let's just make sure."

The Clerk said, "Let me look."

Councilmember Mitchell said "So take 1-6, and 9-11."

The Clerk said, "Yes."

The Clerk said, "No, wait a minute, these aren't the ones. Those other ones were the one that were for the public hearings."

Mayor Tecklenburg said, "This was the Line Street Height District and another Line Street Height District."

The Clerk said, "For the Lowline, okay."

Mayor Tecklenburg said, "7 and 8 on this list, unless it got changed."

The Assistant Clerk said, "I have 7 and 8. I have 7 as 1642 Pierpont Avenue."

Councilmember Mitchell said, "I have Pierpont and Accommodations Overlay."

The Clerk said, "Josh, I don't think these are getting deferred."

Mayor Tecklenburg said, "I apologize. We're going to have to re-vote because I had an older version of the agenda."

Councilmember Mitchell said, "L-1 through L-11."

The Clerk said, "We're doing all of those. We took the other ones off. The two Line Street ordinances were moved to first readings."

Mayor Tecklenburg said, "My bad. I apologize. Councilmember Mitchell was right. Items L-1 through L-11."

On the motion of Councilmember Mitchell, eleven (11) bills (Items L-1 through L-11,) received second reading. They passed second reading on motion by Councilmember White and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Lewis, the rules were suspended and the bills were immediately ratified as:

- 2017-086** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT LEE STREET AND NASSAU STREET (PENINSULA) (APPROXIMATELY 1.46 ACRES) (TMS #459-05-04-207) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY THE CITY OF CHARLESTON.
- 2017-087** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED OFF SANDERS ROAD (WEST ASHLEY) (APPROXIMATELY 4.36 ACRES) (PORTIONS OF TMS #306-00-00-011, 087 AND 088) (COUNCIL DISTRICTS 5 AND 2), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL AND DIVERSE RESIDENTIAL (SR-1 AND DR-6) CLASSIFICATIONS TO GENERAL OFFICE (GO) CLASSIFICATION. THE PROPERTY IS OWNED BY CHARLESTON COUNTY SCHOOL DISTRICT.
- 2017-088** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 82 SPRING ST (CANNONBOROUGH-ELLIOTTBOROUGH - PENINSULA) (0.09 ACRE) (A PORTION OF TMS #460-08-03-176) (COUNCIL DISTRICT 3), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION TO LIMITED BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY WILLIAM K. TURNER.
- 2017-089** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1809 BEECHWOOD ROAD (WEST ASHLEY) (0.89 ACRE) (TMS #354-07-00-005) (COUNCIL DISTRICT 2), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO SINGLE-FAMILY RESIDENTIAL (SR-6) CLASSIFICATION. THE PROPERTY IS OWNED BY MATT CHAMBERS.
- 2017-090** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 575, 577 AND 579 MEETING STREET AND PROPERTY LOCATED ON WALNUT STREET (PENINSULA) (1.33 ACRES) (TMS #463-16-04-021, 020, 019 AND 034) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS AND LIGHT INDUSTRIAL (GB AND LI) CLASSIFICATIONS TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY GRANT REALTY CORPORATION.
- 2017-091** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT LINE ST (PENINSULA) (0.517 ACRE) (TMS #459-05-03-136)

(COUNCIL DISTRICT 4), BE REZONED FROM LIGHT INDUSTRIAL (LI) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY NORFOLK SOUTHERN RAIL.

- 2017-092** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1642 PIERPONT AVENUE (WEST ASHLEY) (APPROXIMATELY 0.46 ACRE) (TMS #353-03-00-129) (COUNCIL DISTRICT 10), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DAN AND PAMELA DUGAN.
- 2017-093** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-220, ACCOMMODATIONS OVERLAY ZONE, BY INSERTING LANGUAGE TO REQUIRE THE BOARD OF ZONING APPEALS-ZONING, IN ITS EVALUATION OF ACCOMMODATIONS USES, TO CONSIDER THE LOCATION AND DESIGN OF GUEST DROP OFF AND PICK UP AREAS, TO REQUIRE FROM APPLICANTS ADDITIONAL INFORMATION ON PARKING AND PUBLIC TRANSIT PROVISIONS FOR EMPLOYEES FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS-ZONING IN ITS EVALUATION OF ACCOMMODATIONS USES, AND TO RENUMBER THE PROVISIONS OF SEC. 54-220 (B). **(AS AMENDED)**
- 2017-094** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON FRANCHISE AGREEMENTS WITH LOW COUNTRY VENDORS, MARK RYERSON, CHRISTOPHER GRIMALDA, CHUN HONG CHAN, ANDREW SPATIDOL, AND SASSYASS COFFEE FOR CERTAIN DESIGNATED SPACES WITHIN THE CITY OF CHARLESTON FROM WHICH FOOD OR DRINK OR READING MATERIAL SOLD IN CONJUNCTION WITH THE SALE OF FOOD OR DRINK MAY BE SOLD FROM STATIONARY CARTS OR OTHER DEVICES.
- 2017-095** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A QUITCLAIM DEED TO GADSDEN DEVELOPMENT COMPANY II, LLC CONVEYING TO GADSDEN DEVELOPMENT COMPANY II, LLC ANY INTEREST OF THE CITY TO A STRIP OF LAND CONSTITUTING THE NORTHERN PORTION OF LAURENS STREET AS IT ABUTS TMS. NO. 458-01-02-063, SAID STRIP MEASURING SIX INCHES IN WIDTH BY 341.96 FEET IN LENGTH, FOR A CONSIDERATION OF \$19,446.12, THE FORM OF SAID QUITCLAIM DEED BEING SUBJECT TO APPROVAL OF THE OFFICE OF CORPORATION COUNSEL.
- 2017-096** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS BENDER STREET (0.13 ACRE) (TMS# 418-07-00-018), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 3. THE PROPERTY IS OWNED BY CITY OF CHARLESTON.

Mayor Tecklenburg said, "I apologize. Now, bills up for first reading. We have M-1, which is the property on Brockman Drive."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Actually, we don't have to separate because it's the only bill up for first reading."

There was laughter in the Chamber.

Councilmember Wilson said, "I was separating 1 from 1. I will speak very briefly. I will vote against this. It is in my district on James Island. I realize this has quite the story."

Mayor Tecklenburg said, "Do we have a motion to approve?"

Councilmember Williams said, "Move for Approval."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "Would anyone else like to be recognized?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Well, just very briefly, I want to thank the applicant for their words. Mr. Barr provided us with a lot of information about the Master Deed that goes along with this zoning. It is complicated, and there are some restrictions in the Master Deed. It's a hopelessly irreconcilable conflict between Master Deed and our zoning, and I don't know how we fix it without doing all sorts of things, which would include, but not be limited to, probably 32 condemnation proceedings. I do think the Master Deed limits what happens out there to the point that it's tolerable. It will not be 50 feet in someone's back yard. That's not happening, right? It is not a perfect world, but it could be worse. It could have been a lot better, and this Council and Councilmember Wilson, who lives in the District, got saddled with this many, many years ago, but because of the way it all played out, I think we're in the best place we could be. So, I'm going to vote for it. I don't love it, but I'm going to vote for it."

Mayor Tecklenburg said, "Alright. Any other comments or questions?"

The Clerk said, "Mayor, Corporation Counsel wants to make sure that you said that these ordinances received third reading and were engrossed for ratification."

Mayor Tecklenburg said, "They were engrossed for ratification? They received third reading and were engrossed for ratification."

Ms. Cantwell said, "For the BAR ordinances."

Mayor Tecklenburg said, "I thought I said third reading and ratification."

On a motion of Councilmember Mitchell, seconded by Councilmember Gregorie, City Council re-voted unanimously on the (2) bills (Items K-1 and K-2) that received third reading, and they were engrossed for ratification.

Mayor Tecklenburg said, "Okay, now back to first reading on M-1. We have a motion to approve and a second. We've had some conversation."

On a motion of Councilmember Williams, seconded by Councilmember Lewis, City Council voted to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Brockman Drive (James Island) (approximately 0.32 acre) (TMS #425-11-00-138, 425-11-00-264, 425-11-00-265, 425-11-00-266 and 425-11-00-296) (Council District 12), be rezoned from Single-Family Residential (SR-1) classification to Diverse Residential (DR-1F) classification. The property is owned by 306 West Indian LLC.

The vote was not unanimous. Councilmember Wilson voted nay.

Mayor Tecklenburg said, "Okay, is there any further business to come before Council? I have to sign all these. We do have the matter of the City Council Residency requirements, which we're going to discuss, if you all like, or we can move to adjourn."

Councilmember Riegel said, "Move to adjourn."

Councilmember Williams said, "Second."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Councilmember Riegel, would you like to be recognized?"

Councilmember Riegel said, "Thank you, Mr. Mayor. I'll just make some comments briefly before we discuss. I've had a long, long day, and I'll try to make this coherent. Thank you, Mr. Mayor. Thank you, colleagues on Council, for allowing me to speak. As has been very well chronicled, my wife and I sold our home on Virginia Oak Court off Pierpont Avenue in West Ashley last fall in September. Prior to that, in the spring of last year, we also sold a 3 bedroom townhouse on Stono River Waterway South. I also think that it's probably pretty well known about my wife's health condition, known by many of my colleagues, Marvin (Wagner), Rodney (Williams), probably closer than most. She has undergone some major surgeries at MUSC. Without going into much detail, the one procedure was going in behind the ear through the skull to remove an angioma on the base of the brain, the brain stem, about the size of a nickel. It was pressuring those nerves, and she was losing balance. Her gait was hampered, her left arm was hampered. Upon that surgery, she was moved to Roper St. Francis Rehab for six weeks for, literally, learning how to live, hygiene, how to dress herself, speaking, those types of things. A disconcerting thing that happened several days after the initial surgery, she had clear drainage coming from her nose, and it was diagnosed as cerebral spinal fluid. Apparently, there was a leak from the brain. The body does replace that, but only to a small degree. If too much is lost, it's pretty serious, and I probably came down Interstate 26 going about 100 MPH trying to get there before they took her to surgery. As I was in the elevator going up to surgery, I got a phone call, thought they were changing the surgery suite. It was actually the billing department at the hospital saying 'Mr. Riegel, your wife has been readmitted. We have a \$500 deductible. What credit card would you like to handle that?' So, just the start of a long process. Very frankly, after the sale of our house on the Ashley River, we intended to re-purchase in District 10, and stay within District confines. The realtors who sold us the house, I don't want to name their names, but immediately tried to find property in West Ashley, in my district, that was within our budget. We made a decision because of her medical condition, and I'll be 70 years old, that we wanted to downsize and minimize our expenses, our housing. The house was way, way too big. I spent

weekends working on it, etcetera. Unfortunately, the prices on homes in District 10, as everyone well knows, a very desirable area to live, and we were having trouble finding residences within our budget. Of course, we had the closing coming up on our home, which we had to move. Frankly, it was a couple, military and discharged from Alaska, so the prices in Charleston seemed rather feasible compared to where they moving from. Needing a place to live, our son had purchased a home in Summerville, and a couple of doors down there was another home similarly available that he bought for us to live in as we continued our search. It was quite a downsizing from 4,000 sq. feet to 1,800 sq. feet, but the advantages were, it was within doors of my son, my daughter-in-law, and our two grandchildren who were keeping track of Debbie.

This spring, I re-engaged to find a home to purchase, again, running into the same problem, law of supply-and-demand, probably a little more acute. I was fortunate that quite a few weeks ago I did find a three bedroom townhouse, the Old Villas in Shadowmoss, which I did procure a lease on with an option to buy. Obviously, I had to rent because we just couldn't find anything to purchase, so we switched our goals to finding a rental in the neighborhood. I want to emphasize my intent was never to abandon my district, or abandon my chair. The move was precipitated on financial reasons, health reasons. I didn't change my driver's license, registration, or voter I.D. because I really felt I'd be able to find a place in the district. Unfortunately, I did have to change all. My voter I.D.'s been changed to the new address and district. My driver's license, auto registration, and the lease are all at the address that I now live in Shadowmoss. I'd ask that, you know, believe me when I say that I never intended to leave my district. I never intended to abandon my seat, but most importantly, the wonderful constituents and voters in District 10. We, frankly, are at a delicate tipping point in West Ashley, as Councilmembers Wagner, Moody, and Waring will attest. I would ask that I be allowed to humbly continue to serve the residents of District 10. Any action to remove me from my seat would leave them without representation for three months. I have filed for re-election in November. I will be running for that seat again, and I will continue to lobby for mitigation of the flooding, traffic, and encourage smart and well-thought out growth. District 10, if we think about it, has become an issue about the quality of life and livability, and not being affected by congestion, additional traffic, additional development, and constant flooding. In conclusion, gentlemen and young lady, I would ask that you forego a public hearing and allow the voters of District 10 to exercise their right to select representation and to do that on November 7th. Frankly, even though I may have been living in Summerville temporarily, through this great Council we've been able to do a great number of things, a moratorium on the housing that's in the flood district, selecting a wonderful engineering firm that we met with Shadowmoss HOA last night, several hundred people. Also, we'll continue supporting affordable housing which I think is something we really need in this City. I experienced it, certainly, on a different level. Having said that, Mr. Mayor, and lady and gentlemen of Council, thank you for your consideration, and I would hope you would allow me to serve the wonderful constituents of District 10. Thank you."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Mr. Mayor, and members of Council. I'd like to make a statement before I make a motion. I have known Councilmember Riegel over the past four years and have gotten to know his wife, Deborah. I have been, I guess, intimately involved in conversations with him and his wife's health. I take good pride in him, and I'm always calling. I'd like to say this, I try to live a life there, but for the grace of God, go I. Trying to live that kind of life, I think that our colleague has served this City, and most of all, served District 10 with great pride and great honor. I've never seen him give his constituents in District 10 less than full services. I worked with him in the West Ashley Circle, along with Marvin Wagner, to get a shopping center there. I'm putting a motion on that we would by-pass a public hearing on this

issue because of the time and complexity of this issue, and that we use a level of compassion. I think in everyone's life, there comes a time where we need to pause and take away a lot of things and just have compassion for ourselves and compassion for others. I humbly ask that we forego this hearing and give our colleague and District 10 constituents their Councilmember, and let the district on November 7th decide that. I think we err tonight if we don't listen to what he said. His private life has become public because when you're an elected official, that happens, but I'm asking that we show a sincere level of compassion because we need to slow down in this country. We need to slow down, take a pause, and give ourselves some compassion and give him some compassion. I humbly ask, and I put in a motion, that we forego this hearing and give our colleague, this family man, and this husband an opportunity to show that we have compassion for him, and I humbly submit that."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Ms. Cantwell, what is the status of Dean's tenure now? Could his seat become vacant, and do the District 10 people have no representative or does he stay on anyway? I'm a little bit confused."

Ms. Cantwell said, "It's a confusing situation. Should this body vote to have a hearing on the matter, that's the first step that you would have to take. You don't have to do anything. You can just not do anything, but should you choose to affirmatively vote and have a hearing, then you would hear his evidence, and it would be conducted like a mini trial. You would have witnesses, you would have people sworn, you would bring in documents, whatever it is to prove the case. Then, Council, as the judge of the qualification of its members, should you find that there was insufficient evidence to prove that he didn't have the intent to come back or he did have the intent to come back, which is the controlling factor, that would be up for the Council to decide after hearing everything. So, if in fact, there was a vote on Council to affect a forfeiture of office, what would happen is that Mr. Riegel would continue to serve until November. On November 7th, there would be a regular election in District 10 for a four-year term, and there would be a special election on the same day to serve out the final two months of his term. So, the law says that if you all were to vote that he had forfeited his office, we must schedule the election to fill the vacancy at the next general election. This has happened, not often, but it happened in Columbia a few years ago where a Councilmember resigned, and they had the special election to fill the remainder of his term at the next general election which was a month away. That would be what would happen procedurally, as far as the effect of your vote. What would happen procedurally at a hearing is something that I don't know if we need to get into, unless we get to that point."

Councilmember Moody said, "Thank you. I think that clears up my mind a little bit. I'm just going to make a statement. I have shared my thoughts with Mr. Riegel. There is a personal side of this story here that is very compelling, and I think, as Councilmember Williams said, is a compassionate element. Then, there's a law over here that says 'this is what happens when you abandon your constituents'. I don't think that you forfeited when you move out of the district, which is basically what the law says. So, the question in my mind, and I've kind of dealt with this from the tax perspective, where's your tax owed? You can have a child that goes to college, moves across the country and stays over there for four years, and that child would still legally be considered a resident of your home. So, there are a lot of mitigations and whether you're commuting and that sort of stuff. I have a little bit of experience with this, and it always comes down to what are the facts and circumstances. Quite frankly, last year, I think Mr. Riegel's attendance at City Council meetings and Ways and Means had been better than it was before. I don't know what our Clerk would tell us, but I think once he was put on Real Estate, he came to

Real Estate meetings fairly good. That made him stay for Ways and Means, and he was here on City Council. What I heard him say tonight was his intent was to not abandon, and I think there's sufficient evidence that might point in that direction. There may be other things that he did that pointed in the other direction. The reason I wanted that clarification is, basically, what it amounts to is he's going to get to serve anyway until November. I don't think we ought to put this Council, I don't think we ought to put citizens through the cost of special elections and that kind of stuff. So, I'm inclined to let him maintain his seat, let City Council and District 10 residents decide whether he gets to serve past November. Actually, if he was re-elected, he would. If he's not elected, he'd still get to serve for another month or two, but I do believe that he has come to City Council meetings and represented his constituents."

Mayor Tecklenburg said, "I saw Councilmember Gregorie's hand up a minute ago. Do you want to speak?"

Councilmember Gregorie said, "I just want further clarification. I think I have the answer. Regardless of our vote, regardless if we vote to have a public hearing, regardless of during that public hearing at the end we vote and say 'Riegel's got to go', he still represents that district until November. Am I correct?"

Ms. Cantwell said, "That's correct."

Councilmember Gregorie said, "So, he would still be the defacto Councilmember?"

Ms. Cantwell said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shahid, followed by Councilmember Lewis.

Councilmember Shahid said, "Thank you Mr. Mayor. This is tough, it really is, and I've shared my thoughts with Councilmember Riegel. I've done my own research on this, I read the wonderful memorandum from the Legal Department, and I wrestle with these issues as a lawyer because residency and domicile sort of run hand in hand together. It comes to intent and whether or not you intend to leave your district. I've said this to him privately, and I'll say it to you publically, I wasn't pleased with how this has been handled. It was a long time you were out of your district in Summerville, and you didn't just leave the district, you left the City, and you left the County. I think that sort of hurt a lot of us as to how that was being done. With that being said, when you read the State statute, and you read our ordinance on this, it is very confusing as to this '180 day rule', as Ms. Cantwell pointed out to us. The prodigal part of all of this is that if we decide to hold a hearing, which would be sometime in September, and then after we have that hearing, we would make a decision of what to do and vote on that. Then, we're through the month of September. If we had the hearing and then we decided to remove him, he has the option of going in front of a Circuit Judge to seek an injunction to have that stopped, which may or may not happen. Then, so he stays on Council regardless, whatever decision we made, until the very least, November 7th. The outcome of November 7th election, he is either re-elected, or simultaneously two elections are going on. I don't know how you keep that clear for the citizens of District 10 on not confusing folks, 'who am I voting for and for what seat and for what term?' That would be an expense the City would have to undertake, and the confusion of that, I think, would just be an unnecessary waste of time and confusion. Let the citizens of District 10 decide if they want to return Councilmember Riegel to his seat for another four-year term. That's sort of where I am with all of this. Just let that happen. This is public. This has been in the newspaper at least twice, three times. Let it be known, he's going to have to go out there, campaign, defend

his record, and defend what has happened in the past several months. Let it go with that. That is the best test of all of this. We know what happened. He's made himself open to public scrutiny. Then, we can move on tonight. So, I would join in the motion, not to have a hearing on this. I just think it would be a total waste of time as to what we're trying to accomplish."

Mayor Tecklenburg said, "Was that a second?"

Councilmember Shahid said, "That was a second."

Mayor Tecklenburg said, "We have a motion and second not to have a hearing. Is there any other discussion or questions?"

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Maybe I'm a little confused, but you said if we choose to do nothing, he stays where he's at in his seat. If this Council tonight just decides we're not going to vote tonight, whether we're going to have a hearing or not, nothing happens?"

Ms. Cantwell said, "That's correct."

Councilmember Lewis said, "If we decide we're going to have a hearing, is there a time-frame when we have to have a hearing?"

Ms. Cantwell said, "You would have to vote to do it, and then we would, I would suggest, that we try to schedule the hearing as quickly as reasonably possible, understanding that there's a lot of due process implications. Everybody has an opportunity to prepare for it and lawyer up if they want to, and those sorts of things, but I think it was Councilmember Shahid who was correct and said the hearing would probably be sometime in September."

Mayor Tecklenburg said, "If it's the pleasure of Council not to vote on anything, Councilmember Williams could withdraw his motion."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just procedurally, I think that's probably appropriate. If this Council wants to have a hearing, we can vote to have a hearing. If we don't, we just do nothing. Councilmember Riegel, I think it was appropriate you took the lead tonight and addressed this body. Thank you for addressing this body. Thank you for doing that. I wish you had done it earlier, so that we didn't have to read about it in the paper. I do think if we just look at the four corners of law of this Council, there is a very clear requirement that you remain in your district during the term of your office. That's there. I think people should know that, Section 11-2. It then becomes up to this body as to what we do about that, and this body decides nothing, that's fine. I don't think we need to take a vote in confidence by saying 'no hearing'. If you want to have a hearing, vote to have it. If you don't, don't, and then let's see where the cards will fall. We've gotten advice from our Legal Counsel about what all this means because it is complicated. I just want to make sure it's not a complication that's created by this Council. Because something is complicated, doesn't necessarily mean you don't address it. All this is, someone said to me recently and I admire them saying it to me, 'I take you a little bit of an institutionalist.' I didn't really know what that meant. I hope they didn't mean I needed to be institutionalized. This body is bigger than any one person, and it is really such an important time in our City for this Council to do everything we can to represent the citizens of the City

collectively and individually. Councilmember Riegel, I'm going to take a moment to point out something that has been under my skin a little bit as we've gone through the last month, and that is we've been a very divided Council on certain issues, not on everything, but on certain issues. I hope that perhaps, tonight, by talking about this, we can talk a little bit more about not being so divided along certain issues, and one of which is the City. We're one city. We're not two, and Councilmember Lewis talks about it all the time. We're not three or four. We have boroughs, have different issues, but we are one city. Secondly, is we're all in this together, and what happened in Charlottesville should show us all. I will tell you, I came in here fully prepared tonight to vote to have a hearing, and that's no secret. I don't even think it's going to get to the floor. I will just say this, Councilmember. We all find ourselves in difficult situations. Everyone around this table has been in a difficult situation during the term of his or her office. This is a compassionate group of people, and if you need help come to us. You're probably going to get some tonight, I think, because I don't think there's going to be a vote for a hearing. All of us need to be humble, need to recognize what our obligations are, and if we're not going to go forward with this hearing, that's fine, but recognize that we do have these rules on books, and we ask our constituents to comply with the rules. We vote every week on issues that affect them profoundly in how they live, where they live, what the costs are to live there, and we need to share that burden with them by living amongst them. With that, I would humbly suggest that this Council adjourn for the evening. I don't think we need to make any vote on a negative, just motion. If there's someone who would like to make a motion to have a hearing, I think we're free to do that."

Mayor Tecklenburg said, "Would you care to withdraw?"

Councilmember Williams said, "I respectfully and humbly withdraw my motion."

Councilmember Shahid said, "Move to adjourn."

Mayor Tecklenburg said, "We have a motion to adjourn, but before we do, I want to share that Joe Johnson, who's here with us tonight brought us all a Charleston Nine medallion. I'm wearing one tonight. Thank you, Joe, for sharing this with us."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you Mr. Mayor. On the new business piece, I just want to say publically, that we're having to come up with these 75% votes more often. So, I'm going to put it back on the next meeting's agenda for consideration that it go to the Planning Commission that it takes a simple majority to override that. Put that on the agenda at the next meeting."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Clarification. You want that to go on to City Council?"

Mayor Tecklenburg said, "City Council."

There being no further business, the meeting was adjourned at 9.42 p.m.

Vanessa Turner Maybank
Clerk of Council